Previous references.

File No. 78-08

1908.

Serial Nos. 1-17

(Local Boards)

Later references.

40-13. 1-6

CB 78-08 ff 1-17.

ML 257-1585 1-5 B July 1916

Rm 9-27-18, 19, 1916 114 & 115

Rm 74-28-(1-4)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-17.

Part B. for May, 1912

SUBJECT.

Amendment of the rules for the levy of tolls on public roads and bridges issued with the Govt's Notif^n no 274 d 4.11.1876.

From the Presd^t, Dist^t Bd, Shimoga, no 47 d 21.8.08: Rep^g that the District Forest Officer complains of the delay resulting in the Rev^e authorities refusing to issue certificates of exemption for each "consignment of forest produce and enquires whether that officer's view that the way permits issued by his subordinates may be complied with is sufficient for the purpose, may be complied with.

To the Rev: Comr^r no 7092 d 29.10.09: States that for reasons stated it is proposed to amend para 5^a of the rules for the levy of tolls on public roads etc issued with the Govt's notification no 274 d 4.11.1876, & calls for his and the Dy. Comr's opinion in G. R. S. 58 requiring the proposed amendment, and enquiring what the practice is in each of the several Dist^{ts} in the matter of exempting carts carrying forest produce which is the property of Govt.

R.S. 41] 1908-09

GENERAL AND REVENUE SECRETARIAT

(Local Bds)

NOTES.

File No. 78-08

FILE HEADING.

Proposal to treat the way permits issued by the subordinate officers of the Forest Department, sufficient & exempting the Carts carrying forest produce from payment of Tolls

From

The President of the District Board Shimoga

No. 47 Dated 21. 8. 08 Received 24. 8. 08.

Diary No. 1332	Enclos.	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

Reports that the District Forest Officer complains of the delay resulting from s having to issue certificates of exemption for each consignment of Forest roduce and enquires whether that officer's ~~request~~ request that the way permits issued his subordinates may be deemed sufficient for the purpose, may be complied with.

NOTES AND ORDERS.

R

(2)

is put on page 10

The rule on the subject requires that the Head of the Department should issue certificates for exemption in such cases. So if the phrase "Head of the Department" is construed even liberally, the Deputy Comr of the District

(C)

NOTES—First sheet

GPB—30,000—3-4-07.

G. R. S. 12]
(General and Revenue Secretariat.

LB File No. 78 of 1908

Serial No.

Cannot issue exemption certificates in cases of properties belonging to the various Departments under his charge.

3) Evidently that cannot be the intention. A qualifying phrase similar to "in the District" seems to be necessary to make the intention more clear.

4) There is no information as to who the "Subordinates" are that are authorised to issue the way permits for the consignment of the Forest produce. The Forest Department, besides the gazetted officers, has a number of Rangers whose salaries vary from Rs 40 to 100 and Foresters drawing from Rs 15/- to 30. There are also a staff of subordinate officers styled Surveyors whose pay ranges between Rs 50 to 85.

~~The District Board should be consulted in the matter as it~~ their finances ~~is~~ that ~~will be~~ affected by the exemption ~~Draft Submitted~~

2/- 29/9/08 5) The question concerns the Forest Department. ~~The~~ The ~~Forest~~ Conservator of Forests

NOTE- Contn sheet.

G. R. S. 12]
General and Revenue Secretariat.

File No. 78 of 1908

Serial No.

may be consulted unofficially in the
matter. Yes
31/8/08 31.8.08
1332
No. 29/05-09
31-8-08
Forwarded unofficially
to the Conservator of Forests for
favour of opinion as to whether
any relaxation in the practice
now existing is necessary and
if so, who may be authorised to
issue the certificates.

OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE
Regr. No. H.O. 43
Date 3.9.1908

Received
1.9.08

H. Krishna Rao
31.8.08. For Secretary

No H.O. No. 53 dated 17.9.1908.

8 It is impossible for any Forest Officer above the rank of a Forester to issue the certificate. File now the Way permits issued by Foresters were considered sufficient. There can be no doubt about Forest produce consigned to a sale depot being Govt. property. The Way permits accompanying such consignments contain particulars as to description of produce, quantity & the place to which it is consigned. It is of no doubtful ever that a certificate from the Head of the Dept. would be necessary. The object of the rule is to guard against fraud. But the case of Forest produce no fraud can be perpetrated so long as such produce is covered by Way permits

As regards rough Sandal wood there cannot possibly be

NOTE- Contn sheet.

G. R. S. 12]
General and Revenue Secretariat.

LS File No. 78 of 1908

Serial No.	
	any doubt because no one else but Govt is allowed to transport it.
1332	Mr. Mitra 16.9.08
	9 Submitted.
	21.9.08 10 Please put up the original papers in connection with this Chief Conservators, if available
1 nil submitted	22-9-08. Illegible
	~~Submitted~~
	11 The papers are not forthcoming in the records.
	12 Submitted
	29/9/08 13 In the case of Forest produce, way permits issued by officers of the Forest Deptt, of the rank of Forester and upwards may be regarded as sufficient to prove that the property bona fide belongs to Govt. All that is required is ~~that~~ satisfactory proof that the property belongs to Govt, and it is enough if this is provided for. If the words "Head of

NOTE- Contn sheet.

GPB - 50,00017—3-07

G. R. S. 12]
General and Revenue Secretariat.

(B File No.) 8 of 1908

Serial No.	
1532	the department" be strictly construed, they would apply to the Conservator of Forests so far as the Forest department is concerned. ~~Forwarded~~ A certificate for each consignment from the Conservator means useless waste of his precious time and much unnecessary correspondence and delay. A certificate from the higher local officer on the place, of the department to which the ~~articles~~ property belongs, may be regarded as sufficient. The object of requiring a certificate to be produced is merely to guard against fraud, as stated by the Conservator.
	Secy) 1.10.08. Illegible
	14) This should be referred also to the Revenue Branch (Forest Section) for remarks, before submitted to the Hon. V. 3.10.08
Min no: R.50	15) Forwarded to Br. I for ~~favour~~ remarks.
	5.10.08. Illegible

NOTE- Contn sheet.

GPB-50,00017-3-07

G. R. S. 12]
General and Revenue Secretariat.

NS File No. 78 of 1908

Serial No.

16) The rules published under Notice calling for tenders for the lease of Toll gates contain the following provision:—

"9. The contractor shall levy "no tolls for passage of troops or "Military Stores or equipages "of Police and other officers on duty "or any property bona fide belonging "to Govt as established by the "production of a certificate from the "head of the Deptt to which it belongs"

17) It has been the practice to allow troops and Stores toll-free as the presence of the Commanding officers with them is a certificate by itself. In the case of others such as transport of hay &c tolls are levied and the Military Departt claim refund subsequently. It is easy in the case of the Police and other officers on duty to give certificates.

18) It is a fact well known to all including the toll contractors that Sandal wood is a Govt property wherever it may be and does not therefore require the production of a certificate. But exemption is also sought necessary in the case of timber and

Serial No.

other forest produce. It is immaterial to the Contractor whether the produce is destined to a Sale Depot or any other place. It also happens that forest products are also sold in the Forests and the purchasers thereof cart them to their destination. The contractor or his men will not be in a position to discriminate between the sold produce and that intended for custody in a depot. Apart from the ownership of the property his concern appears to be with the cartman who, it is believed, includes in his ~~contract~~ stipulation for the carthire, the fee he has to pay at a toll gate or toll gates for when he returns with the empty cart he has to pay half the fees if he does not return within 24 hours. It is also noted that when sandal wood is sold to the purchasers they are removed from the Kotices under the Cover of Licenses or Passes which do not exempt them from the tolls.

19) There are not many sale depots in the Shimoga Distt. Instead of insisting upon the production of certificates

G. R. S. 12]
General and Revenue Secretariat.

LB File No. 78 of 1908

Serial No.

as contemplated in the notifn of 1876 it seems sufficient for the President of the L.A. Board to issue, in communication with the Conservator, a circular to all toll contractors not to levy tolls on such carts carrying unmarked sandal wood and other Forest produce ~~[illegible]~~ intended for the depots and Koties to be named in the said circular. It would be inconvenient to the Range or the Conservator or the Dist Forest Officer to grant certificates and it would not be desirable to entrust that work to the Foresters in charge of a Forest.

The toll-gates are usually auctioned & the purpose of the interest of the Contractor is that as many carts as possible if it is left to his discretion to decide which first produce is entitled to exemption it is very probable that there will be constant disputes & he will allow carts to pass without payment.

20) It has been ascertained that similar difficulties are also experienced in respect of sandal wood and other produce sent from Kolar and Tumkur to the Sandal Koti at Bangalore. In view to avoid the inconvenience of the carts being detained the Forester in charge of the Koti has been paying tolls under protest

Submitted 14.10.08 21) The question mooted above that it is proposed to issue a circular to all toll contractors

14/10/08

NOTE—Contn. sheet.

HPB—50.000—18-5-08

G. R. S. 12]
General and Revenue Secretariat.

File No. 78 of 1908

Serial No.

not to levy tolls on carts carrying unmanufactured wood and other articles intended to be taken to boat depôts as such first produce will be neither advantageous to the forest department nor even to the contractor himself. The toll-gate contractor will have practically to decide which carts are entitled to exemption from payment of tolls and if such an exemption is necessary a public guard at will be dangerous to give him the discretion even for the time being of deciding which carts should be allowed to go free. He will practically be able to prevent any forest produce from being carried without payment of toll and to obtain a refund will be well-nigh impossible as his contract will probably have expired by the time the question whether he detained any cart properly is decided.

22) Empowering a forester to grant ~~an exemption~~ a certificate on the authority of which exemption from payment of toll may be

G. R. S. 12]
General and Revenue Secretariat.

LB File No. 78 of 1908

Serial No.

claimed will no doubt afford
some facilities for fraud. As has
been pointed out above fort
produce may be removed from
by merchants
fort posts on permits issued by
fort Officers and there will
always be difficulty to distinguish
between fort produce which is
still the property Govt and which
is being taken as a depôt for sale
and fort produce which has
already become private property
and a trader may fraudulently
issue certificates even for the latter
which it might be difficult to
detect. It is possible to detect
the fraud by a reference to the
way permit but the Contractor
will not be able to refer to it
and as the fort dept will not
lose in any way by the issue of these
permits the outpost Officers will
not naturally take much interest
in scrutinising them the case of
undressed sandal presents less
difficulty as long as it is
unwashed it may be presumed to

Serial No.

be Government property even
then there is some sandal about
is collected by first & which is not
rightly entitled to any such
exemption. Even after it is
issued it is possible that it may
be transferred from one Kshi to
another prior to sale and if we
for a rule that only unmarked
sandal is entitled to such an
exemption both will have to be
paid in this case though under
the rule as construed in the
file it may be right entitled
to exemption. Requiring the certificate
of an Officer of higher rank
than a Forester will greatly
interfere with the transport
of the forest produce. The
certificate cannot be issued
~~on the~~ while the carts are
being loaded and it will not
be possible for such superior Officer
to issue the certificate after personal
verification of the number of carts
& the forest produce sent on
them. So if the exemption is

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue
Secretariat.

LB File No. 78 of 1908

Serial No.

to be maintained as proposed & the Comr the title-sale contractor should be directed to accept the certificate of the Jailer and Rule 5 which requires a certificate from the Hd of the Department should be amended.

R. puglis 4 such rules

23) But I am not sure whether Rule 5 was intended to apply to first produce at all & even if so with reference to present circumstances the exemption should be maintained. A literal interpretation of the expression "property belonging to" would no doubt cover first produce taken to depots as kist but considering the object with which the exemption seems to have been allowed there was apparently no intention originally to include first produce not disposed of among the exceptions to the rule requiring the payment of toll. If the exemption was intended to apply to it it would have

G. R. S. 12]
General and Revenue Secretariat.

d/15 File No. 78 of 1908

Serial No.

been specifically mentioned as in the case of hereby military stores &c. to prevent abuses of the privilege the certificate is required to be given by the Hd of the Dept and unless as must have been supposed when the rules were made rule were issued the reasons for giving the certificate were such a responsibility would not have been thrust on the Hd of the Dept. Considering how innumerable the cards are which cover fresh produce & which have to pass through toll-gate in the State this would render it would be impossible have been known at once that it would be impossible for the Court to give the certificate and the rule would have been made to mean that no rule seems to me to apply to property actually belonging to Govt which is carried from

G. R. S. 12]
General and Revenue Secretariat.

LR File No. 78 of 1908

Serial No.

place in connection with some
Port work of a Survey Office's
instruments a machine to
be installed anywhere.

24) As far as the Forest
dept is concerned I am not
sure whether the concession
will benefit them in any way.
The toll is paid by the cartmen
& it is doubtful whether the
carting is reduced by the
amount which the cartman
escapes payment with the Forest
Officer's anticipate the loss
chiefly fall on the Local
Fund & which they collect
for. The contractor ~~bids less~~
~~makes~~ lowers his bid when
he find that so many carts
have to be allowed to
pass. It is very desirable
to develop every source of
income possessed by the Local
Boards and as the Forest
dept pays very little by
it, it is a question for
consideration whether we

Serial No.

should not declare that Rule 5 does not apply to cash carrying fruit produce

25) It is not known that the practice in other Bs is so if such an exemption is allowed, that safeguards are applied against fraud If necessary information may be called for on these points But considering how strong the case is against a continuance of this unnecessary exemption it seems to me that Govt may withdraw it altogether

21/10/08

26) To Br IV for submission to Govt

RK Dmg 22/10/08

27) Submitted (Br IV) 25.10.08. [illegible]

8549 27-10-1908

28) I would like the Appt Secy to discuss the point in a note. It seems very desirable to minimise exemptions particularly those of a class which competitors for a tobacco contract cannot appraise. With this view it seems advisable to omit from para 5 the words "or any property liable to fire duty"

[illegible] sheet.

GPB-50,00017--3-07

G.R.S. 12]
General and Revenue Secretariat.

1332 L.B. File No. 18 of 1908-09

Serial No.	
	In this respect the Rules should be the same whether it is a Municipal Tollgate or a D.F. Tollgate - Std. 4 Nov 08
29)	Please put up the requisite papers, if available, relating to the notification of the 4th Nov 1876.
	12-11-08. [illegible] 10.S. 81-1
30)	A thorough search for the papers was made under the orders of the Registrar both in the Vernacular and general records but with no effect.
31)	As regards the question of exempting the Govt property of the kind in question, attention is very respectfully invited to Ferry Rules under Sec 12 of the Canals and Public Ferries act of 1890 Madras given on page 208 of the Madras L.F. Manual and Section 87 clause 3 of the Madras Local Boards Regulations.
32)	Submitted 20/12/08. 19/12
	[illegible]

F. R. S. 12]
General and Revenue Secretariat.

LS File No. 78 of 1908

Serial No.

33) With a view to find out, if possible, to what kinds of Govt. property, the exemption contained in Rule 5 of the Notification applies and whether carts containing every kind of Govt property including forest produce were exempted thereunder, a thorough search was got made for the original papers relating to the Notification but unfortunately they could not be found. It is understood that carts containing sandal wood and other forest produce belonging to Govt have enjoyed the exemption for a long time and if so, it is prima facie proof that such carts do come within the exemption - The question now is whether it is necessary to continue the exemption in respect of such carts and whether the words "or of any property bona fide belonging to Govt x x x x x to which it belongs" may not be omitted from Rule 5 of the Notification.

Serial No.

34) Under the Local Boards Act in force in Madras, sec 87 (3), carts &c conveying all Govt property of every description are not exempted but only such as convey troops &c The vehicles ~~and~~ animals and persons exempted under that section are the same as those ~~which~~ that would be exempted under the Chief Comrs notification and the provisions of ~~our~~ the Rules under our Local Boards Regulation, if the words referred to above be omitted from Rule 5 of the Notification. There seems to be no objection to amend our rules ~~so~~ as to bring them into conformity with those in force in the Madras Presidency.

35) The Deputy Comrs, the Rev Comr, ~~and~~ the Chief Engineer and the Conservator of Forests may be consulted as regards the amendment proposed. Please put up a draft.

25-12-08 Illd

1 W S 26/12

36) Please enquire also what the present practice is

Illd

NOTE.—Contn. sheet.

GPB—50,000—13-5-08

Serial No.

37 Draft submitted

25 sm 38 Please revise the draft
30/12/08 and put it in letter form.
2.1.09. WWW 1 cr-s
Sd 4/1

39) Revised drafts are submitted
W. sm 40) drafts calling for
6/1/09 the opinions of the Rev
11 Comr. the Chief Engineer and
the Conservator of Forests sub-
mitted for approval.
1st (Cr) 11.1.09. WWW

9416
12.1-1909 41) Draft approved WWW
W. sm 09

42) Issue the drafts.
22-1-09. WWW

2 43) To the Rev Comr in Mysore. No 709
& 29.1.09
States that for reasons given
it is proposed to omit the words
"or of any property bona fide
belongs" in para 5 of the rules
for the levy of tolls on Public Roads
& Bridges issued with the Ch Comr's
Note No 2748 & 4.11.1876, calls
for his & the Dy Comrs' opinion
regarding the proposed Amendment

Serial No.	
	Amendment and enquires what the practice is in each of the several Dists in the matter of the exempting carts carrying forest produce etc which is the property of Govt.
3	44) To the Conservator of Forests and the Ch Engr of Mysore No 7093-4 & the 29th Jany 1909 Invites their opinions as regards the Amendment referred to in Sl 2 above & enquires what the present practice is in the matter of exemptions of the kind in question
4	45) From the Chief Engineer of Mysore No 1148 & 10-2-1909 With reference to Sl 3 states that exemption from payt of tolls should be continued in the two instances referred to in GO. Nos 4032-3/177 of 1-9-82 (exemption of travel for repair of roads and No R 10864/L.R 483-05-3 & 19-2-06 (exempting the British Mail Bag Service & that he sees no reason why all the other forms of traffic should not pay tolls
	46) Replies from the

Serial No.

the Conservator of Forests and the Rev Comr may be awaited.

HW (Bus 23/2 47) 2 yes

22-2-1909 24-2-09 Secy

HWK 24/2 / 5 48) From the Conservator of Forests No. 8939 26th July 1909 (D 670). States that at present no toll is levied on carts carrying forest produce, that the contractors who have well understood the rules regarding exemption from payment of tolls of carts carrying their property have not made any complaint in the matter and that by the proposed amendment it is only the toll contractors that will be greatly benefitted.

49 In this case reply from the Rev Comnr is due. Four reminders have been sent the last on 27 July 1909.

50 Regarding the levy of tolls on empty carts on their way to the forest to load timber; vide to the special notice of Govt in the paper under disposal, does it

Serial No.	
	It is submitted that this can be dealt with along with the general question after the receipt of reply from the Revenue Comm^r
	5-1) Submitted for orders.
	28/7/09 5-2) The reply from the Rev^e Comm^r may be awaited 30.7.09 Dewell
6	5-3) From the Revenue Comm^r in Mysore - No. 5764 & 1st December 1909 (D. No. 3907). Reports that carts conveying forest produce are at present exempt from payment of any toll & that the Deputy Commissioners of all the Dts excepting Shimoga agree to the amendment of the rule as proposed and that he is either for a free amendment of the rule or for the interpretation of the words "bonafide dyers" to mean records kept & taken by officials on circuit. P. T. 6

GPB—50.000—13-5-08

G. R. S. 12
General and Revenue Secretariat.

LA File No. 78 of 1908

Serial No.

74) The cases of exemptions from payment of tolls now allowed appear from the following:

Vide pp 104 Rule 28 (a)

(a) According to the Notification No. 274 of 4 Nov 1876 No toll shall be allowed for the passage of troops military stores, or equipages or of police officers on duty or of any person or property in the custody of or during proper belonging to Govt as established by the production of a certificate from the head of the department to which it belongs.

(b) According to the L.C. Board Regulation & the rules thereunder

(i) The above rules in force

(ii) In addition to the rules — No toll shall be levied for the passage of carriages

(iii) Licensed by the Local Board

(iv) Carriages of their servants or cattle

(v) Licensed by the Board during the period for which they have been licensed

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

(iv) engaged by the Postal Department to convey mails.

(v) belonging to your servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowances.

(c) According to the municipal Regulation. Sec 5-9

No toll shall be leviable for the passage of troops or the conveyance of your stores or of any other your property or the property of His Highness the Maharaja or for the passage of military or Police officers on duty or the passage or conveyance of any person or property in their custody.

Sec 6.0: The municipal council ~~shall be entitled~~ to grant ~~exemptions~~ exemption in case ~~they desire to do so,~~ under rules which they are ~~competent~~ empowered to make

(d) According to your orders issued from time to time.

Serial No.	
V	(i) G. O. No. 2004-8) R.S. 33-04)-2 87. Sep. 04
R2	Entering the discontinuance of
	the levy of toll on carts belonging
	to Messrs Nagappa and Co.
	conveying their property from
	the Karkankote forest to Mysore
L	(ii) G. O. No. 3877-8 Rev 372-05)-8 dy
R8	13-Nov.-06 & rules of Bangalore city
	No tolls will be levied on the
	following:-
	(a) Vehicles bearing Govt numbers
	either of the city or of the civil
	& military station
	(b) All vehicles & animals whether
	owned or hired, used for the
	passage of troops and of stores
	and equipages belonging to or
	~~reserved~~ required for the use of the Military
	(whether Mysore or British) or
	Govt on their marches, and of
	Military guards or Police
	officers on duty or of any
	person or property in their
	custody. Also carrying
	Contractors carts conveying
	excise articles from the
	Govt central distillery into

NOTE—Contn. sheet.

Serial No.

into the Bangalore city, such as arrack, ganja &c—

bengharee

(iii) G. O no 4032-3/177 of 1-Sep-82 exempting from payment of toll gravel for road repairs) taken over by Govt at the place of collection & conveyed in carts engaged by Govt for works carried out under anam

(iv) G. O no R 10864 COR 483-13-1 of 14-2-1906 exempting the British mail tonga service and the ponies returning which carried them.

55) In para 28 supra the late First Commissioner, the present Dewan was pleased to observe that it is very desirable to minimise exemptions particularly those of a class which competitors for a toll gate contract cannot appraise & that in this respect the rules should be the same whether it is a Municipal toll gate or a District toll gate & with this was suggested the omission of the words "or of

NOTE—Contn. sheet.

G. R. S. 12]
General and Revenue Secretariat.

RD File No. 78 of 1908

Serial No.

any property brought belonging to Govt xxx it which is being from clause 5 of the Chief Commrs notification (a) of para 54. The Revenue Commr, (including by comrs) the Chief Engineer & the Conservator of Forests who were requested to favr Govt with their opinion regarding the amendment state as follows:—

Rev Comr & Dy Comrs. All the Deputy Commrs excepting the Dep Comr of Shimoga are in favr of the proposed amendment while the Dy Comr of Shimoga states that the present system is working satisfactorily. The Deputy Commr of Kadur is of opinion that exemptions should be allowed only in the case of troops & military stores, & that the cost of payment of tolls on Govt property & by officers on duty who are not allowed travelling allowance may be met from office contingencies. The Revenue Commr is agreeable

NOTE—Contn. sheet.

BPG—55,000—27-4-09

Serial No.

to the amendment proposed or interpretation of the words "property of Govt" to mean records to be taken by officials on circuit. We also observe that even if the proposed amendment is effected the meaning of person & property in the custody of police officers is not clear. According to the rule it is the police officers that are exempted & not police officers.

The Chief Engineer is of opinion that exemption should be allowed to continue in the case of gravel taken for road repair.

The Conservator of Forests states that there have been no complaints from the Contractors about the exemption allowed in the case of timber & for the simple reason that they take up the Contract with the full knowledge of it, that the rule has been in force for the last 33 years & is therefore well understood & that Govt will have to

NOTE—Contn. sheet.

BPG—55,000—27-4-09

G. R. S. 12]
General and Revenu
Secretariat.

3907 25

LS File No. 78 of 190 8 4523

Serial No.

our additional expenditure if the exemption is discontinued as then they will have to pay toll either directly or by raising the cart rates.

58) If the proposed amendment is made, tolls will be levied on carts carrying articles now exempt and so the Excise Comm^rs opinion also appears necessary.

57) Submitted for orders

Nil 5/1/09 58) Please put up a draft 15/12/09 to the Excise Comr.

17.12.09 Nil

59) Draft put up

Nil 60) Issue

17/12/09 20.12.09 Nil

61) To the Excise Comr in supse no 57669 23-12-09. Request him to favr us with his opinion as regards the amendment

62) From Dr - No 57928 3-Jan-10

4523) Request to be supplied with a copy of the rule for the levy of tolls on roads & bridges.

63) Submitted with draft

Nil 64) Issue

7/1/10 10.1.10 Nil

NOTE—Contn. sheet.

Serial No. 9

65) To the Excise Commr in myore No. 6273 & 25th Jany 10. Forwards a copy of the rules containing the Notification

66) From WO = No. 8380 & 2nd April 10 (D 7244) States that at present carts conveying rents & office records & carts carrying arrack under bond are exempt from payment of toll & opines that the exemption in the case of carts carrying arrack should continue.

67) Submitted for orders.

Rang 12/4/10 68) The point now for consideration is whether the words "or of any property bona fide belonging to Govt x x x x x is which it belongs" at the end of para 5 of the Excise Comr notification published under Rule 61 of the L.B. Rules may not be omitted.

69) In paras 3 & 4 and 5 of the office note above, a summary is given of the ~~cases~~ cases of exemption from payment of toll ~~made~~ under the

NOTE—Contn. sheet.

BPG—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

L.S. File No. 78 of 1908

Serial No.

L. B. rules exist in force and also under the Municipal Regulation and of the opinions of the officers consulted (except the Excise Comrs.) as regards the proposed amendment of para 5 of the Govt Comrs notification. The Excise Comrs opinion is contained in his letter dated 2.4.10.

7.0) Though the proposed amendment will minimize exemptions and may improve the District Board income, it is doubtful whether it is expedient to introduce such a wholesale change and withdraw there in all cases the exemption now enjoyed in respect of Govt property in the D. P. Wks, the Excise Dept and the Forest Dept. According to proviso (a) to section 59 of the Municipal Regulation, no toll is leviable on carriages for the conveyance of Govt stores or any other Govt property. The proposed amendment will make the Local Board rule different

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

from the provision in the Municipal Regulation and the latter also will have to be suitably amended as there is no reason ~~to~~ why there should be ~~such~~ any great divergence between the two -

7) In these circumstances it may be considered whether para 5 ~~rule~~ of the Blue Book explanation may not be amended by substituting the words - "or ~~on~~ without the express consent of Govt, of any property bona fide belonging to Govt" for the words ~~"or of any property x x x to which~~ "or of any property x x x to which it belongs" proposed to be omitted. If the amendment suggested above is approved, there will not be any great discrepancy between the provision in the G. R. Rules and that in the Mil. Reg. and the latter may remain as it is. The rule will be elastic and the District Boards may, in those cases in which they consider it not desirable to do so move

GPB—50,000—13-5-08

Serial No.

the Govt and obtain their consent to levy tolls on certain kinds of property belonging to Govt - (Compare the first part of Proviso (a) to sec 379 of the Municipal Regulation).

72) The production of a certificate that the property belongs to Govt, in those cases in which it is exempt from payment of toll, is a minor matter relating to evidence, and such instructions may be issued in this respect, as may be necessary, in consultation with the Head of the Department concerned.

Secy) 9.4.10. Hill

73) The whole question in this case has risen out of the 'minor' matter spoken of in the last para of the above note in regard to the practical working of the exemptions. It was to simplify the rule that the present Dewan suggested the omission of the words "or any animals"... Of the officers consulted mostly the Dy Commrs [illegible] the exemption

GPB—50,000—13-5-08

Serial No.

being abolished, while the Cons^r of Rs & the Excise Commr are in favour of the retention of the existing ~~Stat~~ exemptions.

74) If the exemption is withdrawn there is no doubt that the revenues of the local bodies from tolls will increase to some extent, though not perhaps by the ~~full~~ whole amount ~~that~~ of the increased expenditure that will have to be incurred by Govt.

75) The next result will be ~~an~~ an indirect grant from Govt to the local bodies & a little additional profit to the toll Contractors & perhaps also to the carrying contractors of the Govt depts such as the Excise & the Forest depts.

76) If the exemption is retained, then a slight change will have to be made ~~about~~ in the rule about the certificate ~~for~~ It may be laid down that the certificate may be given by such class of officers as Govt may prescribe from time to time. It may perhaps be useful to have printed forms of certificate ~~which~~ which may be signed by an official of over

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Serial No.

to the cantman for production at the wayside toll gate & last delivery at the last village before the cart reaches its destination.

CR
26/4/10

184)
26-4-10

1935-
27.4.10

Please ascertain what is the rule & practice in the Madras Presidency and Bombay.

KBM
27/4/10

78) Draft submitted to the Residency for the information required. Rsg submitted.
30/4/10 Secy - 3.5.10.

79) Issue
CR
5/5/10
5-5-10

80) To the First assistant to Collector Re Resident's No. 954 of 12 May 10. Requests him to obtain information from Madras and Bombay

G. R. S. 12]
General and Revenue
Secretariat.

18 of 1908.

Serial No.
12

81) From the first asst Resident No 42579 to Jamnadas (D 397) Furnishes information regarding the practice obtaining in Madras & promises the submission of a further report on receipt of a reply from the Bombay Govt.

82). Submitted the receipt of a further report in the matter may be awaited.

DS 21/10/10 83) Yes. 22-10-10 Dlle

84 Further report promised has not as yet been received. Draft of a reminder is submitted for approval

DS 16/11/10 85 Issue 21.11.10 Dlle

86. To first asst Resident no Pol 421 dt 24.11.10. States that the Bombay will be glad to have the information at an early date

97. From Do. No. 7287 dt 1-12-10 (D 3611). Informs that a reply was been received from the Bombay Govt that the information is being collected

NOTE—Contn. sheet

GPB—55,000—27-4-09

Serial No.

98 The receipt of the further communication in the matter may be awaited

DS 98 of nominal

dg. 5/12/10 100) Yes.

7.12.10 Telle.

13 101) From the First Assistant to the Hon'ble the Resident in Mysore. No. 1510 d. 9. Mar 1911 (D 5698) Forwards copy of letter from the Under-Secretary to the Govt of Bombay on the subject of exemption of Govt property from payment of toll.

102) As directed by the First Commissioner in para 77 supra the Residency was requested to obtain information regarding the exemption of Govt property at the P.W.D. toll gates in Madras & Bombay from the replies received it is seen that in Madras at the P.W.D. toll gates no toll is levied for the passage of carriages, carts or animals conveying police officers in uniform or persons

Serial No.

or removing the property of
such officers, they never granted
an exemption may be taken
exempt any person, carriage &c
on the ground of poverty or other
cause but this does have
not exempted any property
in exercise of the above power.
On the other hand, exemption
of mail bags has been
refused. However the following
property seem to have been
exempted at or 7 toll gates.
(1) ponies & bicycles of the mail
overseers of the Kottayam
Muthupalayam
(2) & rickshaw by
certain officials of the Salt
& Abkari Department.
(103) On the round toll gates,
police officers their vehicles &
animals persons & property in
their custody are exempt from
payment of toll, while in the
Madras city the vehicles or animals
belonging to the Police or carrying
any stores belonging to the Govt

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

are [illegible]

104 The same rule as are applicable to L T toll gates seems to apply to Provincial toll gates also about which information is not available.

105 As regards the check-toll pass, no form has been prescribed by Govt as the matter is one to be settled by the local bodies & Contractors.

106 In Bombay the levy of tolls is governed by the Tolls Act and there seems to be no distinction between the several kinds of toll gates - viz L. Bd & Provincial. A long list of exemptions is given most of which come under Govt property. As regards pass no form has been prescribed but in some of the local forms of certificates or passes are used. In the word of the Carmen exemption is allowed by the Contractor a ~~local~~ man with local knowledge, who may demand a

a deposit in doubtful cases.

107) Forwarded for orders
T1569 mj It will be seen that
1573/11 neither in the Madras Presidency nor in the Bombay presidency, the exemption from payment of toll extends to all property, of whatever kind, bona fide belonging to Govt, as in para 5 of the Black Country notification dated 4th Nov 1876 (8 Cr) 17.3.11 Kell

108)
Following the example of Madras & Bombay I would accord the exemption in respect of property belonging to Government. There is no reason why Carts conveying timber to Forest Depots, Casks of lignite to Excise Warehouses, should be exempted from payment of toll. The spirit of the rules is against such exemption of ... We may reserve to themselves

Serial No.

the power to exempt any Government property.

I concur with the Suggestion made in the Dewan's note of 11 Nov 08 on page 16

KBM

Dewan 29/3/11

10832

30.3.11

29.3.11

109) Circulate to 2nd Cr and bring up at a Council Meeting

KBM 1.4.11

110) Circulate & note for next meeting

CDZ 12/4/11

111) Seen. My only doubt is whether the whole profit of the removal of exemption will go to the Local or Md Bd. It is as likely as not that the greater part may only benefit the Contractor

12.4

15/4/11

P.D.D.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Question of Modifying para 5 of the Commissioner's Notification dt 4.11.1876 so as to subject carts carrying property belonging to Govt to payment of toll.

CIRCULATED TO COUNCILLORS.

By Order,

C S Barasundaramayya

Secretary to Government.

12th April 1916

K. P. Puttanna Chetty, Esq.,
First Councillor

Opinion

C170 H. V. Nanjundayya, Esq., M.A., M.L.,
econd Councillor.

GPB—500—7-1-10

R.D. File No. 7808 42

Submitted to His Highness.

These papers relate to the question of the exemption from payment of tolls of vehicles and animal conveying property belonging to the Government.

2. The existing rules are as follows:-

(1) In the case of District Fund toll-gates, "No toll shall be paid for the passage of troops or military stores or equipages, or of police officers o duty, or of any person or property in their custody, of any property bona fide belonging to Government as established by the production of a certificate from the Head of the Department to which it belongs" (Para 5 of Chief Commissioner's Notification No.274 dated 4th November 1876).

(2) In the case of Municipal toll-gates, "no tax other than a special sanitary cess or a wat rate, shall, without the express consent of Governmer beleviable in respect of ..... any vehicle, animal or other property belonging to Government and used solely for public purposes and not used or intended be used for purposes of profit" (Proviso to Section of the Municipal Regulation)

uestion has now been raised with reference to the levy of tolls on carts conveying sandalwood, timber and other forest produce belonging to the Government. In such cases, it is clearly impossible for the Head of the Department to furnish a certificate, as contemplated in para 5 of the Chief Commissioner's Circular quoted above, that the load of each cart is property belonging to Government. Even the District Forest Officer cannot be expected to issue such certificates, and the Deputy Commissioner of Shimoga has submitted for the orders of Government, a suggestion made by the District Forest Officer of that District that the "way permits" issued by the Forest subordinates, i.e., the Foresters, to accompany the carts may be accepted as sufficient proof that the property belongs to Government.

4. The danger of accepting such way permits issued by low paid subordinates, who may be tempted to issue similar permits fraudulently in respect of forest produce sold to private parties in the Forests, and the consequent risk of loss to the toll-gate contractors and eventually to the District Board have been discussed in the office notes.

5. A suggestion was made by me that the exemption in favour of vehicles and animals conveying property be-

belonging to Government may be cancelled. The Deputy Commissioners of all the Districts except Shimoga (Mr. M. Narain Rao) are in favour of the proposed modification of the rules. The Revenue Commissioner is of opinion that the exemption in favour of property belonging to Government should only be in respect of records, ten &c., taken by officials on circuit. The Conservator of Forests considers that carts conveying forest produce should continue to be exempt from tolls, and the Excise Commissioner urges that the exemption in favour of cart carrying arrack under bond to the several depots should also continue. Similarly the Chief Engineer desires that gravel for road repairs should continue to be exempt (vide Government Order No.4032-3/177 of 1st September 1882).

6. The practice in the Madras and Bombay Presidencies has also been ascertained, and is explained in the enclosures to the Residency communications of the 16th July 1910 and 9th March 1911 respectively.

7. The question having been considered in Council the Council is of opinion that the exemption which has existed from a long time need not be removed but that, as it is not practicable for every certificate in such cas to be issued by the "Head of a Department", para 5 of

the Chief Commissioner's Notification of 4th November 1876 may be modified so as to render admissible a pass or certificate from an officer of the Department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes. The exact terms of the amendment are indicated in the Council Resolution.

8. This may be approved.

P Chandra
18/11

1114 1
19.4.11 LS File no 28-08 46

tract from the Proceedings of the 262nd Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 17th April 1911

IV. Subject. - (Clause ii of Schedule).

Flag. R. (p. 9. footnote

Question of modifying para 5 of the Chief Commissioner's Notification dated 4th November 1876, so as to subject carts conveying property belonging to Government to payment of toll.

OPINION OF THE COUNCIL.

The exemption from toll of carts conveying property belonging to Government, which has existed from a long time, need not

GPB—300—29-4

be

LS File No 7808 47

be removed. The rule, however, requires a slight modification as it is not practicable for every certificate to be issued by 'the head of a department.' For the words "by the production of a certificate from the Head of the Department to which it belongs", the following may be substituted:-

"Where proof is required, by the production of a pass or certificate from an officer of the Department to which the property belongs, authorized by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll gate passed before the cart, carriage or animal conveying such property reaches the destination noted in such pass or certificate".

sd/- T. Ananda Rao.
Dewan of Mysore.

Extract

C.S. Balasundaram Iyer
Offg. Secretary to Govt.

L&S file no 78/5[illegible] 48

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Question of the exemption from payment of tolls of vehicles and ani mals conveying property belonging tc Government.

124. *Order.*

Approved

~~KRW~~

20/6/11

125

Secy

24/June/11

126

Put ch draft.

CSB

23/6/11

127 21.6.11

N.S

24/6

23/6

G. R. S. 12]
General and Revenue Secretariat.

L&S File No. 7. 78 ~~7 8~~ of 1908

5698 49

Serial No.	
130)	Two drafts submitted TS 69 orig Secy) 1.7.11 Mlle 27/6/11
131) Does not a modn of C.Cs notification require f of d sanction? can action be taken if necessary & 2 fair printed copies be submitted by SMM	
132)	Draft submitted to the Residency TS 69 8/7/11 Secy) 8.7.11 Mlle
133) can Br III submit [illegible] if necessary	
134)	Forwarded to Br III 3.8.11 Mlle
135)	Submitted The chief Commissioner's notn 24/11/1881 which is now to be modified is included in the ~~Lawsin~~ list of "Laws in force and rules having the force of law in the Territories of Mysore, on the 25th March 1881. Therefore a reference to the Residency seems to be necessary. A copy of the list is herewith submitted (5.8) SN (11) 7/8/11 8/8/11
	A reference to the Govt of India seems to be necessary. Draft

Legis
24/8
Jmis 20

Flag T

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

4116 File No. 78 of 1908 - 50

Serial No.

Printed papers
relating to the preparation of
the Schedule annexed to para 197
the Instrument of transfer of the
Govt as well as the Resn have agreed
that the Rules relating to the levy
of tolls &c have the force of law
and that they should be ~~agreed~~
included in the list of Enactments
&c to modify which the sanction of
the Govt of India would be necessary.
(Please see pp ~~###~~ 13 & 17)
of the Printed Election Petn.

(13) A further question however
arises viz whether the rules can
be changed by an Executive order
of Govt. Having the force of law
it appears that
they can be changed only by an
~~the~~ legal Enactment.

(14) It is not clear why the question
whether the rules of 1876 should not be
repealed ~~whether~~ in part* was not
considered when the Municipal &
Local Boards Regulations were passed
The question in this file relates only to
tolls levied by District Boards as
well as by the Govt. The objection raised
can not therefore be accommodated by

* it is so far as they relate to toll-bars kept by Local Bodies

NOTE—Contn. sheet.

GPB—50,000—12-8-10

issuing rules under Clause (5) of Sec 20 of the Local Boards Regn Even if that Section is considered to give adequate power in this behalf so far as the toll-bars kept by the State are concerned, the desired Change can, it appears to me be effected only by legislation

139) If it is intended to modify the rule only in so far as the toll-bars of the District Boards are concerned, then the ~~Board~~ rules issued under the Local Boards Regn 1913 (please see rule 61 Et Seq) may be suitably changed and does not require the sanction of the Govt of India.

17/8/11

140) To Bo IV

141) Submitted for orders

TS 69 dt 18/11/1918

142) It is observed above what is intended is only a modification of the Rules for the levy of tolls by District Boards, the

Serial No.

sanction of the Govt of India is not necessary. The point however does not seem to be free from doubt. No doubt, under secs 20 (5) and 31 (2) of the Local Boards Regulation of 1902, Govt may frame rules for the levy of tolls and it may be argued that this Regulation having been sanctioned by the Govt of India, no further sanction is necessary for making any rule under the two sections referred to above, which may have the effect of modifying the Chief Comrs notification laying down rules for the levy of tolls on public roads and bridges. But the Chief Comrs notification having been included in the schedule appended to the Instrument of Transfer, and according to the conditions laid down therein, the sanction of the Govt of India being required for any modification of that notification it is a question whether in the manner above stated, such sanction may be presumed to have been given merely by reason of the L.B.

GPB—50,000—12-8-10

Serial No.

Regulation having been sanctioned by the Govt of India -

(143) Then again, as to how the Chief Comrs notification may be modified, it may be considered whether it may not be modified by a notification of His Highness the Maharaja -

Secy) 21-8-11 Kue

(144) I should like to discuss the matter with asstt-secy III & IV

(145) The Secretary is of opinion that the words "except para 5 thereof" may be inserted after the words "Roads and Bridges in Mysore" in Rule 6 (1) of the Rules under the Local Boards Regulation and that para 5 of the Chief Comrs notification as now ~~modified~~ proposed to be modified may be added as an additional rule - Please put up draft accordingly -

18-9-11 Kue

(146) 2 Drafts submitted

Secy) 21-9-11 Kue

Some difficulty was felt in giving effect to H.H's order of 20/8/11

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

L&S File No. 78 of 1908

Serial No.

in this file, as the Chief Commr's notification sought to be modified has the force of law & cannot be changed except by legislative enactment & with the approval of the Govt of India. This course has to be adopted in regard to tolls on provincial ~~tolls~~ roads & bridges, & it would be desirable to draw up a Tolls Regulation on the lines of the Ch. Commr's not[n] omitting from the body of the Regn certain directions in matters of detail which may be left to Rules under the Regn.

48) In so far as tolls on Dt Fund roads are concerned the matter is simpler & the change now deemed desirable can be given effect to by a slight change in the Rules under the Local Boards Regulation as set out in the draft.

Sec & Dewan — CSO 11/11/4

49) As a legal point is involved the file may be submitted to the

11-11-1

NOTE — Contn. sheet.

5698 55

R. S. 12]
neral and Revenue Secretariat.

LD File No. 78 of 1908

Serial No.

2) Vide letter for paragraphs opinion.

HHA
12/11/4

150) Subs to 2nd C✓

CM
14/11/4

2nd
14.11.11

151) The Chief Commr's Notn was not repealed by the L Bds Regulation expressly or by implication. Rule 5 of it may be now amended, the reference to the Notn being adopted by the L Bd's Regn rules being dropped.

152) I think that the alteration requires the formal approval of the Govt of India which may be applied for & obtained

153) I think it is worth considering whether a general permission cannot be obtained

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
neral and Revenue
Secretariat.

L&S File No. 78 of 1908

5698 56

Serial No.

In respect of all the rules in Pt VI of the Schedule to Instt of Transfer — i.e. for omitting all these from the Schedule. A Stt may be made to show which of these rules are still operative for further consideration of this question —

18/11/11

154) Submitted

182 Cr) 20.11.11

155) Keep return from Delhi. ill Cr.

20/11/11

156) The concurrence of the Govt of India will have to be obtained before rule 5 is altered as proposed.

157) The larger question of omitting or modifying part VI of the Schedule attached to the Instrument of Transfer is deserving of separate Consideration

22/1/12

145-46
22/1/12

158) Dewan). Please let me have draft of the order in this case in question

22-1-12

(A Japee

NOTE — Contn. sheet.

GPB—50,000—12-8-18

Serial No.

159) Please put up draft
9-2-12. Mlle

160). Submitted.
A draft to the Residency put up as directed by the Secretary in para 131 supra is already in the file. It has been approved by the Secretary on the 3rd August 1911. Nothing is mentioned in R 1569 19/2/12 the proposal to drop in the Rules under the L B Regn., reference to the Chief Comrs notification - It seems unnecessary to refer to this matter in the letter -

161) Secy) 15-2-12. Mlle
Draft may be approved -

Drawn) CSB 26/2/12
Mlle 26.3.4

162) Draft appd by Dewan
28/4/12

163) Issue CSB 29/3/12
Mlle 29-3-12

6601

(58

G. R. S. 12]
General and Revenue Secretariat.

L&S File No. 78 of 1908

Serial No.	
14)	16) To the First assistant to the Honble the Resident. No. Pol. dd 6 Apl 1912. Requests him to obtain the sanction of the Govt of India to the amendment proposed.
	17) Submitted for orders as to what extracts from the notes paras 15 to 30 be sent to Brch for necessary action
	TSbg 8/4/12 Yes. 9.4.12. Dll
	Extract, sent to Branch 8/4/12
	TS 10/4/12 (18)
15	166) From The 1st Asst. Resident. No. 2706 dd 9.5. states that the Governor Genl in Council has pleased to accord his Consent to the propd amendment on the understanding mentioned
	167) submitted for orders with the 2 drafts already in the file.
	168) The drafts already approved may now issue.
	14/5/12 14/5/12
	2nd Cr) 17.5.12. Dll
	By Command
	Issue 17/5 18.5.12

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue
Secretariat.

LB File No. 78 of 1908-09

Serial No.	
16	170 Prest Dt B'Shimoga, Rervcons Conservator of Forests, Chief Engrs Ex com.rs & Heads of other Depts & Dy Comrs &c 8776-816 D 21-5-12. Directs that Rule 61 (1) of the LB Rules be so amended as to admit of the passes issued by certain officers authorised for the purpose
17	171 Compiler Gr. G. No 8819 D 21-5-12. Notifies the amendme referred to above

page 151, Qus part I, m part I, 23.5.12 D

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G.R.S. 15]

Facing sheet for Cases included in the schedule appended to Notification No. 36 of the 8th Aug. 1902.

GENERAL AND REVENUE SECRETARIAT

SUBJECT

Question of modifying paras of the chiefs Comrs Notfn. of 4. 11. 1876.

	Date	Initial of Officer himself or responsible Deputy
eceived in the Secretariat		
ubmitted to Secretary		
Submitted by Secretary to Dewan or Councillor in charge		
Returned to Secretary		
Circulated by Secretary for Council ...	12. 4. 11.	
Forwarded by 1st Councillor	Seen.	
Forwarded by 2d Councillor	15. 4. 11	
Received in Secretariat	— do —	
Considered in Council	17. 4. 11.	
Submitted to the Dewan	19. 4. 11.	
Submitted to His Highness		
Orders passed by His Highness		
Final Orders issued		
Circulated to Councillors		
Passed on by the Councillor ...		
Returned to Secretary by Councillor ...		

GBPM—8-6-1910—300

W 4238 1 ಕ

1908

From K. Chandy Esquire B.A
President of the District
Municipal Boa
Shimoga Dist

To K. S. Chenna Lekhara Iyer Esq
B.A
Secretary to the Governmen
General & Revenue Depa

Despatched 21 8 t 08

Received

General No 1332

Enclosure No

Dec-11

requests to be informed whether
the issue of such may permit
by subordinates other than
Heads of the Departments can
considered as sufficient authority
for the exemption

Office of the President of the District
and Municipal Boards Shimoga Dt.

No
Enc

Dated 21st August 08.

From. K. Chandy Esquire B.A.
President of the District & Municipal
Boards. Shimoga District

To. K. S. Cheuva Sekhara Iyer Esquire B.A.
Secretary to the Government of Mysore
General & Revenue Departments.

Sir,

I have the honour to state that the Toll gate Contractor at Vadigere in Shikarpur Taluk levies Toll only on carts on transit carrying Government Sandal, Timber etc to depots and Kotis.

The District Forest officer in his memo no: 159 dated 18th December 07 requested that orders may be issued to the Amildar of the Taluk to exempt such carts from the levy. and he was therefore referred to the late Chief Commissioner's notification no: 274 dated 4th November 1876 according to which no toll should be levied by the Contractor

if a certificate from the head of the Department is produced to the effect that the timber in question belongs to Government

3 The District Forest officer in his memo no 54 dated 6.8.08 (copy enclosed) complains of the delay and difficulty that would result from his having to issue certificates for each consignment of forest produce throughout the District and is of opinion that the issue of a way permit by the subordinates of the forest department for each consignment of forest produce would be sufficient authority for the contractor to exempt such carts from the payment of the toll-duty.

In these circumstances, I request to be informed whether the issue of such way permits by subordinates other than the Heads of the Department can be considered as sufficient authority for the exemption

exemption.

I have the honor to be,
Sir,
Your most obedient Servant
R. Simmons Esq
President

Enclosure 25 - 85

No: 54. Memo

Each Consignment of forest produce will be covered by a way permit which is issued by forest subordinates. If the District Forest officer were to issue certificates for each consignment throughout the District it would result in unnecessary delay. The undersigned would therefore opine that issue of certificates by the District Forest officer is rather difficult and not conducive to despatch of work.

(Sd) A. Ponnusami Mudaliyar

G.R.S. 26

21-08

5 78

File No. 08

Serial No. 2

Diary No. of letter replied to ——

1092

0578-08-2

(2).

General and Rev. Secretariat

(205

the 190 .

To

By 9.1.09

The Revenue Comr.

in Mysore.

Date of issue 29/1-09

Signed by MKM

Sir,

I am directed to forward a Copy of letter No. 478 The 21st August 1908 from The President of the District Board, Shimoga, in re the exemption from payment of toll, ~~in favour~~ of Carts conveying forest produce and to observe that it seems very desirable to minimise exemptions, particularly those of a class which competitors for a toll

over.

SUBJECT.

gale contract cannot appraise
and which involve Sub-
stantial loss of income to
a District a municipal
Board without a corres-
ponding profit to the De-
partment Concerned With
this view it is proposed
to omit the words " or
of any properly bonafide
------- belongs" from para
5 of the Rules for the levy of
tolls on Public Roads and
Bridges in Mysore, issued
with the Chief Comrs notifi-
cation No 2748 the 4th nov
1876

I am directed to Request
that the Deputy Comrs of the
Districts may be consulted
as regards the Amendment
proposed and their opinions
be forwarded with your
views Thereon

further that
It is requested a report as to what

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

~~as to what~~ The present prac
in each of the several Districts
is, in the matter of ~~th~~ exempti
ma
of the Kind in question ~~should~~
also be made.

3 I am to add tha
under the Local Boards Ac
in force in Madras, Sec 87 cl(
Carts &c conveying Govt
property of every descripti
are not exempted but
only those that Convey
troops &c are allowed
pass free without payme
at any toll-bar

I am &c

K Rayaswami Ro
Asst
For Secreta

G.R.S. 26]

1332

21-8-08

File No.

Serial No

Diary No. of letter replied to ——

No. 70934

LB 7808-2

92609

General and Rev. Secretariat

(LB)

the 190

To (3)

Date of issue 29.1.09

Signed by W V K M

~~The Conservator of~~

Chief Engr, Conservator of

Forests, ~~and the Deputation~~

~~of Darbanga~~

Sir,

I am direc

to forward a Copy of letter

No. 47 J the 21st August 190

from the President of the Distri

Board, Shimoga, in re the

exemption from payment of

toll, ~~in favour~~ of carts con-

veying forest produce an

to observe that it seems ver

desirable to minimise exemptio

particularly those of a clas

which competitors for a toll

over. g

SUBJECT.

contract, cannot appraise and which involve substantial loss of income to a District or Municipal Board without a corresponding profit to the Department concerned. With this view it is proposed to omit the words ~~[illegible]~~ "or of any property bonafide belongs" from para 5 of the Rules for the levy of Tolls on Public Roads and Bridges in Mysore, issued with the Chief Comr's Notification No. 274 dy the 4th Nov 1876.

I am directed to request you to be so good as to give your opinion as regards the Amendment proposed and to report what the present practice is in the matter of ~~the~~ exemptions of the Kind in question.

I am to add that under the Local Boards act

in the [illegible] property [illegible] from toll

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

in force in Madras, Sec 87 Exclause (3) Carts &c Conveying Govt property of every description are not exempted but only ~~such~~ those that Convey troops &c are allowed to pass free without payment at any Collbar

I am &c

For Secretary

67/09.

MGCPB—30,000—5-4-05.

No. 1148

MYSORE P. W. DEPARTMENT.
CENTRAL OFFICE,
Bangalore, 10th February 1909

From

W. McHUTCHIN, ESQ., M.I.C.E.,
Chief Engineer of Mysore,
Bangalore

D5578

L.B 78-08

(4)

To

C. S. Balasundaram Iyer Esquire, B.A.,
Offg Secretary to the Government
of His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

With reference to your letter No. 7093-4/L.B.78-08 dated the 29th ultimo, asking for my opinion on the amendment proposed to be introduced in para 5 of the rules for the levy of tolls on public roads and bridges in Mysore issued with the Chief Commissioner's Notification No. 274 of 4th November 1876; also to report the present practice in the matter of exemtpions from paying tolls &c, I have the honor to invite a reference to the marginally noted Government orders from which it will be seen that exemptions is granted in the 2 instances quoted. I am of opinion that both these should still be exempted from payment of tolls. I however see no reason why all the other forms of traffic should not pay tolls.

× Government Order No.4032-3/177 of 1-9-82 exempting from payment of toll gravel (for road repairs) taken over by Govern-ment at the place of collection and conveyed in carts engaged by Govern-ment for works carried out under Amani.

Government Order No.R.10864/L.R.483-05-3 of 19-2-1906 exempting the British Mail Tonga Service and the ponies re-turning which carried them.

This reference is being searched for in the Records 22-2-09

I have the honor to be,

Sir,

Your most obedient servant,

for Chief Engineer of Mysore.

GPB—2,000—24-9-07

MYSORE P. W. DEPARTMENT.

No.

From

THE CHIEF ENGINEER OF MYSO

Bangal[illegible].

To

Dated Bangalore.

Despatched

Enclosure No.

SUBJECT.

2670 B

Office of the Conservator of Forests in Mysore.

No. 893 Dated Bangalore, 26th J U L Y 1909.

(5)

LB 78-08

From

Rai Bahadur. M. Muthanmah, Esquire,

Conservator of Forests in Mysore,

BANGALORE.

To

K. S. Chandrasekhara Aiyer, Esquire, B. A., B. L.,

Secretary to the Government of His Highness the

Maharaja of Mysore,

General and Revenue Departments,

BANGALORE.

Sir,

Referring to your letter No. 7033-4/L.B.78-08 dated the 29th January last, I have the honour to state that according to the existing orders as noted in the margin, no toll is levied on carts carrying forest produce being the bonafide property of Government, and so far as I am aware, no complai has been made by any toll contractors of any loss having bee caused owing to this exemption for the simple reason that th take up the contract with the full knowledge of it. The rul has been in force for the last 33 years and is therefore gen rally well-known and understood. If the proposed amendment is adopted, the toll contractors will, no doubt, be greatly benefitted, but it is extremely doubtful whether the share o the District Boards in their profits will be commensurate wi

1. Chief Commissioner's Notification No. 274 dated 4--11--1876 (para 5)
2. Government Order No. (2004-5)-33-2/L.B. dated 7/8--9--1904.
3. Government Order No. 3877-8/Ml.372-05-8 dated 13--11--1906.

the extra expenditure that may have to be incurred by Government in this behalf; for the toll has to be paid by Government either directly or by raising the carting rates.

2. At present, no toll is being levied in any of the Districts on carts conveying Government property, and whenever it is levied through ignorance or mistake, matters are set right at once on representations made to the proper authoriti

3. In this connection, I have to bring to the special notice of Government the fact that the District Forest Officer Mysore, has reported that in some of the District Board toll-gates, two annas are being levied on every empty cart on its way to the forests to load timber and other produce belonging to Government, and the cartmen therefore show their reluctance to accept our carting work at the ordinary rates.

I have the honour to be,

Sir,

Your most obedient servant,

Conservator of Forests in Mysore

A.M.S/22-7-'09.

OFFICE OF THE REV. COMR. IN MYSORE

Bangalore, 1st December 1909

FROM

Rajakarya Pravina,
A. RANGASWAMI IYENGAR, ESQ., B. A., B. L.
Revenue Commissioner in Mysore.

TO

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments.

SIR,

With reference to your letter No.7092/L.B.78-08-2 dated 29th January 1909, requesting me to obtain and submit with my opinion, reports from the Deputy Commissioners on the subject of amending the rule regarding the levy of tolls on public roads and bridges &c., I have the honor to submit herewith the marginally noted letters from the Deputy Commissioners and to state as follows:-

District.	No.	Date.
Kolar	762	2-11-09
Hassan	204	25-10-09
Shimoga	324	19-10-09
Chitaldrug	226	7-10-09
Mysore	120	10-8-09
Bangalore,	70	16-7-09
Kadur	22	8-7-09
Tumkur	L048	24-6-09

The Deputy Commissioners of all the Districts except Shimoga are in favour of amending the rule as proposed and it is reported that carts conveying forest produce are at present exempt from payment of any toll. The Deputy Commissioner of Kadur has objected, and it is suggested by the Deputy Commissioner of Mysore that in addition to carts employed by the Military Department those belonging to the Postal Department might also be exempted. The Deputy Commissioner of Shimoga alone ~~xxxxxx~~ says that the present system under which exemptions are allowed is working satisfactorily, that instances of complaints either from Departments concerned or from Contractors are not many, and that

no ~~money~~ change is called for in the rule.

I am, however, in favour of amendment of the rule or interpretation of the words "property of Government" to mean records, tents &c., taken by officials on circuit. I would also observe that if the rule is amended as proposed in your letter, it would read as follows :-
"No toll shall be paid for the passage of troops or military stores or equipages or of public officers on duty or of any person or property in their custody", and the interpretation of "property" would be difficult, and the expression "person" would be unmeaning.

I have the honor to be,

Sir,

Your most obedient servant,

For Revenue Commissioner.

B.K.R.

No. 1148 1909

Date 20.7.09

From

The Deputy Commissioner
Bangalore District

To

The Revenue Commissioner
in Bangalore

Dated 16th July 1909

Despatched 19th

Received

General No.

RC No. 70

Enclosure No. 2

Enclosures
28-8-09

Revenue commissioner's
Memo dt. 11-5-8-65 of 9th
May last -

Furnishing opinion in
the matter of exemption of
toll levied on carts
conveying Govt. Sandal
timber &c —

Sd/-
Correct
HV
7.09

Submitted with replies received
from the other Dts. ~~Commrs~~ An extract
HV 12/11 from Chief Comm's note quoted in
the Secretary's letter under reference
also put up.
The Dy Commrs of all Districts except
Shimoga, state that they are in
favour of amending the rule as
proposed by the Secretary. The Dy Com
mysore, thinks that in addition
carts conveying troops, those
employed by the Postal Departm
for conveying mails may also
exempted —
HV
15/11/09

Extract from the toll tender notice, dated 7th May 1909

18

No tolls will be levied on the following: —

(1) Vehicles bearing Municipal numbers either of Bitz or of Civil and Military Station or possessing passes of the Bitz Municipality, and on carriages or carts, and animals, the property of, or employed by, Government or the Municipal Commission or licensed or registered by the said Commission; and no more than one payment of toll shall be demanded for, and in respect of, any carriage or cart or animal, in any one period of twenty-four hours counted from midnight to midnight.

(2). All vehicles and animals (whether owned or hired) use for the passage of troops and of stores and equipages belonging to or reserved for the use of the Military (Whether Mysore or British) or Government on their march, or of Military, Civil or Police Officers on duty or of any person or property in their custody. Also carrying Contractor's carts conveying excise articles from the Government Central Distillery into the Bangalore Bitz, such as arrack, ganja, etc

Sd). B. J. Kumarasami Naik

Copy

President.

President

Compd

Docket No: 2273 dated 16th June 1909, from the President, City Municipal Council, Bangalore, to the Deputy Commissioner, Bangalore District.

His memo No: 273 of the 17th. instno, enquiring the practice prevailing in the City in re exempting from payment of toll, Carts conveying articles belonging to the Forest Department.

I have the honor to state that Carts employed by the Forest Department, conveying bonafide Government property and entering the City limits, are let in free of toll, if they are covered by passes issued generally by Foresters or Rangers.

2. The accompanying extract from the notice of tender of toll Contract in the City will show what properties are exempt at present from payment of toll in this Municipality. Virtually all carts hired by the several Departments under Government - Military and Civil, are exempted from toll when they enter the City Covered by passes issued by the heads of respective Departments, in addition to the British Military Carts, which are to be counted by thousands in a year. In the case of hired Carts, the Department Concerned do not seem to be benefited while the Municipality loses its toll in as much as, Carts are hired for a fixed sum, by the month, or paid for at the authorized rate according to distance irrespective of the toll charges.

So far as this Municipality is Concerned, the less the number of items of exemption, the better.

Sd/ N. Subba Rao
Vice - President.

Copy

President

compd

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE

No. S 730 1909

From S. 11.08

HV

To Srikanteswara Aiyar Esqr: B.A., B.L.
Deputy Commissioner,
Kolar District.

To Rajakaryaprasaktha
A. Rungaswami Iyengar Esqr.
B.A., B.L.,
Revenue Commissioner in
Mysore.

Dated 2nd
Despatched 3rd } November 19

Received

General No. 762
No.

All the reports have now been read & a note is put up KR 9

Enclosure No.

Enclosures
as above

Sir,

With reference to your memo No. 11558-65 dated the 8th ult. may last forwarding copy of Secretary's letter No. 4092 L.B. 48-08 of the 29th January 1909, and calling for certain information in connection with the exemption from the levy of toll on carts conveying forest produce, and my opinion in re the proposed

amendment of para 5 xxxx of the
the Chief Commissioners Notification
No. 29 of the 2nd November 1894
for the exemption of the levy of
toll on any property issue file
belonging to Government, I
have the honour to state that
there are no places where tolls are
Collected in this District and xxxx
the present exemption of the levy
of toll is not ascertainable here.

I am however of opinion that
the proposed amendment is a desirable
one as I think that in case of third
conveyances, no exemption should
be made, as it is the purchaser who
will have to pay the toll and it
is quite immaterial whether the
property in it belongs
to Government or to private persons
xxxx in cases where the

21

Conveyance belongs to Government and is not hired, it would be more convenient to have the tolls paid, so as not to interfere with the finances of municipalities etc.

I have the honour to be
Sir,
Your most obedient Servant
S. Shanmuga.
for Deputy Commissioner
Kolar Dist.

Ady

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE
No. 16667
Date 29.6.09 1908

22

From T. L. Doraswami Iyer Esqr.
Deputy commissioner
Tumkur District.

Rajakaryaprasna

To A. Rangaswami Iyengar Esqr.
B.A.B.L.
Revenue commissioner
in Mysore, Bangalore

Dated 26th June 1909.
Despatched 28.
Received
General No. 1048 / N.V. Correct 29.6.09
No.

Enclosure No.

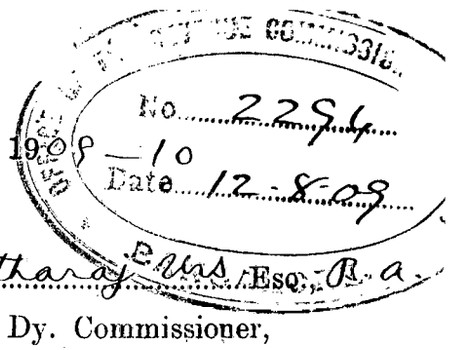
With reference to his memo no. 115-5-8-65 dated 8th May 1909 forwarding for opinion a copy of General and Revenue Secretary's letter no. 7092/L.B.78-08-2 dated 29th January 1909 regarding the proposal to omit the words "on of any property bona fide ..... belongs from para 5 of the rules for the levy of tolls in Mysore

GPB—2,00,000—12 4-09

+ Shall we have been drafting with this correspondence.
SK
+ 2/7/09

in Mysore, issued with the Chief commissioner's notification No. 274 dated 6th November 1876, undersigned has the honour to state that tolls on carts are levied in Tumkur Town municipality and that carts conveying Government property of the kind in reference are exempted from the payment of toll. I concur with the views contained in the copy of the letter form the General and Revenue Secretary received with the above regarding the minimising of such exemptions and I am also of opinion that the words "or of any property bona fide ..... belongs" may be omitted from para 5 of the rules in question.

For, Deputy commissioner
Tumkur District.



From

M. Kanthara j Urs, Esq., B.A.

Dy. Commissioner,

Mysore District.

To

A. Rangachariar, Esq., B.A. B.L.

Revenue Commissioner

in Mysore.

Dated 10th August 08.

Despatched

Received

General No. 120

No.

Enclosure No.

Subject.

Submits report in the matter of exemption from payment of toll on carts conveying forest produce.

TVR
Correct
12/8/08

Ret H.V.
think the file is with you
NR
12/8/08.

M.G.B.P.,—8-2-09,—100.

No.
Enc. No.

OFFICE OF THE Deputy Commissioner,
MYSORE DISTRICT.
Dated at ... 10th August 1908..

To
A. Rangaswami Iyengar Esq., B.A. B.L.
REVENUE COMMISSIONER IN MYSORE.

SIR,

With reference to your circular no No 11558-65 of the 8th May 1903, forwarding copy of Government docket No 7052-L-B. 78-08-2 (undated), re the exemptions from payment of tolls, I have the honor to state that at present, exemptions from payment of tolls are governed by para 5 of the late Chief Commissioner's notification no 274 of the 14th November 1876, para 65 of the Local Boards Rules of the 7th September 1903 and Government notification No. J. 1683-Legis. 10-07-1 of the 30th November 1907. The exemptions coming under the above are no doubt numerous and they may be restricted to those contemplated in para 65 of the Local Boards Rules of September 1903, which are the same as Mad. as Rules, with the addition of conveyances

employed by Postal Department for conveying mails.

I have the honor to be,
Sir,
Your most obedient servant.

S Ma[illegible]d

for Deputy Commissioner
Mysore District

No. 5573
1909-10

From P. R. Ramasamier Esquire
Dy. Comr. and President
District Board Hassan

Raja Kariyappa Varma
T. Ramasamier Esquire B.A.B.L.
Revenue Commissioner in Mysore
Bangalore

Dated 25th
Despatched 29 } October 09.
Received

General No. 204
No. R

Enclosure No. one only

Sir,

With reference to your memo No. 11558-65 dated the 8th May '09. forwarding for an expression of opinion copy of letter No. 7092 / LB. 78-08-2 dated the 29th January '09 from the General and Revenue Secretary in re-exemption from payment of toll on carts conveying forest produce and observing that it seems very desirable to minimise exemptions &c, I have the honor to state that when the subject was placed before the District Board at the meeting held on the 27th September

Subd
This letter is silent about the practice in present in the matter of exemptions of the kind in ques
HV
10/11

8. refer to 10-8/6

September 09, the Board took
a resolution to the effect
that the owners in the pro-
posed to eliminate the
portion, "or of any bridge
bonds ..... July"
from Rules of the Chief
Commissioners Notice order
No. 274 Docket 4 2nd Extension
1875. Copy of the Board's
resolution No. IX dated 21
for reference.

[illegible]

for

[illegible]

Vacancy [illegible]

by [illegible] Court [illegible]

Dist [illegible]

Rec'd

Govt Hassan Mg Collection 2/6
35

Proceedings of a meeting of the Hassan District Board held on the 27th September 1909.

Present

P. R. W. Wetherall Esqr., President

Ex-Officio members.

Narasinga Rau Purnaiya Esqr., B. A., Treasury Assistant Commissioner and Vice President.

C. Devaraj Urs, Esqr., General Asst: Commissioner, Hassan.

A. Krishnaswami Iyengar Esqr, B. A., Assistant Commissioner, Saklespur Sub-Division,

V. Aiyaswami Iyer Esqr, B. A., B. C. E, Executive Engineer, Hassan Divn

C. Rajarama Rau Esqr., L. M. S. Dist medl: & Sany: Officer, Hassan.

Non-Official members.

Mr. Lakshminarasimhachar, Hassan.

" Puttegowda-alias-Nanjegowda, Channarayapatna.

" H. Dasappa - - - - - Arsikere.

" Kencharayashetty - - - - - do

" Nanjunda - - - - - Chennarayapatna.

" Suryanarayanashetty - - - Arkalgud.

" Nidhalingegowda - - - - - do

" Abdulla Sab - - - - - do

N.B. All the Amildars in the District except the Amildars of Arsikere and Arkalgud Talugs and the Deputy Amildar of Alur Sub Talug., were also present.

× × × × × × × ×

No IX Read the Revenue Commissioner's memo No 11558-65 dated the 8th May 1909, forwarding for an expression of opinion, copy of letter No 7092 L.B.78-08-2 dated the 29th January 1909 from the General and Revenue Secretary, in re- exemption from payment of toll of carts etc conveying forest produce:

Resolution:- Resolved that this Board concur in the proposal to eliminate the portion "or

any person . . . . . them" from rule 5 of the Chief Commissioner's notification No 274 dated the 4th November 1876.

× × × × × × ×

sd/ P. R. W. Wetherall
President, Dist Bd,
Hassan District

"Extract"

[illegible]
for President, District Board,
Dec Hassan District

ms

No. 324

Deputy Commissioner's office. 30

Chitradurga, the 6th October 1909

From,

M. Narain Rao Sayini,
Deputy Commissioner
Chitradurga District

To

Rajakarya Pravina
T. Rangaswamy Iyengar Sayini, Bath
Revenue Commissioner in Mysore

Sir,

With reference to your office Memo No. 11558. 65 dated 8th May 1909 forwarding for my opinion copy of General and Revenue Secretary's letter No. 7092 dated 29th January 1909 proposing an amendment to the rules for the levy of tolls on public roads and bridges in Mysore, I have the honor to state that carts conveying bona fide property of Government have been enjoying exemption from toll in this District from the date of its introduction. The system has been working satisfactorily and there are not many instances of complaints either from the Departments or from the Contractor. I am therefore not in favor of amending the Rules as proposed

2. It will no doubt be inconvenient to always get the certificate from the Heads of Departments. As Government things are easily

distinguishable and there are rarely any chances of fraud being practiced. I am of opinion that a certificate from an official of the Department sending the Government things may be deemed to be sufficient authority for the Contractor to exempt such carts from the payment of the toll.

I have the honor to be,
Sir
Your most obedient Servant
G. Hemmanna Rao
Dy
To Deputy Commissioner,
Chinsura District

OFFICE OF THE REVENUE COMMISSIONER
BANGALORE

No. 678 1909

From The Deputy Commissioner
Kadur
12.7.09

To The Revenue Commissioner
in Mysore

Dated 8th July 1909.

Despatched

Received

General No. 22
No.

Enclosure No. nil

Enctors. 5 of 16

Submitting opinion on the proposed modification of the rule 5 of the rules for the levy of tolls on the public roads and bridges published in the Chief Commissioner's Notification No. 274 of 4th November 09

Correct
13/7/09

Recorded
Issues. Mr. Arms not dealt with
by me
S.R.D.
14/7/09
DS

From

K. R. Srinivasa Iyengar, Esq., M.A.,
Deputy Commissioner,
Kadur District.

To

A. Rangaswami Iyengar, Esq., B.A., B.L.,
Revenue Commissioner in Mysore

Dated, Chikmagalur, 8th July 1909.

Sir,

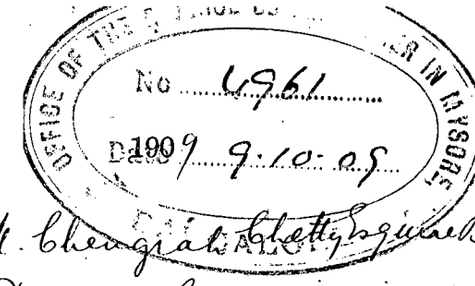
With reference to your memo No. 11558-65 dated 8-11th ultimo calling for an expression of opinion on the proposed modification of the rule 5 of the rules for the levy of tolls on the public roads and bridges published with the Chief Commissioner's notification No. 274 of 4th November 1876, I have the honor to state that I am quite in favor of the proposed modification of the rule in question. It would not only serve to prevent the abuse of the privilege exemption on the part of those who claim it, but also simplify the application of the rules for the collection

of tolls, besides materially improving the revenues under the head, more especially of the District Funds whose resources require to be strengthened in every possible way to provide for necessary works of public utility. At present, carts conveying timber and sandal of the Forest Department, arrack carts of the Excise Department and also carts carrying Office things of Government Officers on tour claim exemption from tolls on the ground that what they convey are Government property. The toll contractors often complain of the loss they are to suffer on account of these exemptions which they are unable to rightly determine. It is expected that better revenue can be secured by minimising exemptions

as far as possible. I would, therefore, recommend the levying of tolls either at the prescribed rates or the amounts compounded therefor for the passage of all Carts and animals conveying property of Government allowing exemptions only in the case of troops and military stores. The cost of payment of tolls on property of Government as well as on carts and animals of such of the Government Officers on duty as are not allowed the usual travelling allowances under the Service Regulations may be ordered to be met out of the Office contingencies or other funds of the Departments concerned.

I have the honor to be,
Sir,
Your most obt. Servant,

[illegible]
Deputy Commissioner



From M. Chengiah Chetty Esquire B.A.
Deputy Commissioner
Chitaldrug District

To Rajakaryaprawina
A. Rangaswamii Iyengar Esquire B.A. B.L.
Revenue Commissioner in Mysore
Bangalore

Dated 7th October 1909.

Despatched 8/10

Received

General No. 226
No.

Enclosure No. Nil

Stating that it is desirable that exemptions from payment of tolls of carts Conveying Government property should be minimised.

If all are is have been read, a report to Govt. to be mailed.

9.10.09.

GPB—2,00,000—12·4·09

Deputy Commissioner's Office
Chitaldrug District

Dated Chitaldrug 7th October 1904

From

M. Cheruiah Chetty, Esquire, B.A
Deputy Commissioner
Chitaldrug District.

To

Rajakarya Praveena
A. Rangaswamie Iyengar, Esquire, B.A B.L.
Revenue Commissioner in Mysore,
Bangalore.

Sir,

Adverting to your memo No. 11558-65 dated 8th May last, calling for an expression of my opinion in the matter of exemption from payment of tolls of carts conveying Government property, I have the honor to state that a general exemption from payment of tolls of carts conveying Government property irrespective of the description is contemplated by para 5 of the rules issued with Chief Commissioner's notification No. 274 dated 4th November 1876, and this entails no doubt loss of income to the District or Municipal Boards concerned. It is therefore briefly

desirable in the interests of the Board that exemptions should be minimised and the said para 5 of the rules amended as proposed by Government.

2. As regards the present practice in this District, it is ascertained that carts conveying Government property are exempted from the levy of tolls under the authority referred to above

I have the honor to be

Sir,

Your most obedient servant,

Deputy Commissioner

Chittagong District

G.R.S. 26]

20/12/09 12 × hrs

3678

File No. 38

Serial No. 1

Diary No. of letter replied to 3907

(7) No. 5466 LB78-08-1

D 23.12.09.

General and Revenue Secretariat

L&S

the 190

To The Excise Commr

in Mysore

Date of issue 23.12.09

Signed by J.W.K.M.

Sir:

I am directed to state that with a view to minimise exemptions particularly those of a class which the competitors for a toll gate contract cannot be expected to be cognizant of ~~appraise~~ which involve substantial loss of income to a Dist or Municipal Board without a corresponding profit to the department

over.

SUBJECT.

Rec'd 22/12

Rec'd 22/12/09

concerned in the land
property specified from
Hill, a covenant
contained in the
the words "or of any
property bonafide
belonging to" as
established by the
production of a certificate
from the head of the
department to which
it belongs" from para
3 of the rules for the
levy of tolls on public
roads & bridges issued
with the Chief Comm's
Notn no. 276 dy the 4th
March 18.

I am directed to
request you to be so good
as to give your opinion
in regard the amendment
proposed and to
return with the
present matter

List of enclosures,

Copied by

Examined by

GPE—10,000—23-5-18

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

no the matter of exemptions of the kind in question.

3) I am to add that under the L.B act in force in Madras Sec 27 (3) carts & conveying [illegible] property of every description are not exempted but only those that convey troops &c are allowed to pass free without payment at any toll bar

I have &c

[signature]

for Secretary

17/12/09

R.S.

17/12/09

4525 39

No 5492

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 3rd January 1910.

L 78-08
8(8)

From

H. H. Sparkes, Esquire,
Excise Commissioner in Mysore.

To

J. S. Balasundram Iyer, Esq., B.A.
Offg. *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

Adverting to your letter No. 5466/L.E.78-08-7, dated the 23rd December 1909, regarding the change contemplated in the rules for the levy of tolls on public roads and bridges issued with the Chief Commissioner's Notification No.274, dated the 4th November 1876, I have the honor to request that a copy of the aforesaid Notification may kindly be sent for reference.

I have the honor to be,

Sir,

Your most obedient servant

for Excise Commissioner.

From

H. H. Sparkes Esqr

Excise Commissioner in Mysore.

To

C. S Balasundra Iyer Esq.,

Offg: *Secretary to the Government of*
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated 3rd January 1910.

Despatched

Received

General No.

Enclosure No.

SUBJECT.

Requesting to send a copy of
orders of the notification regar
the change contemplated in the
rules for the levy of tolls on
public roads and bridges.

Up

File

78/P25/10

G.R.S. 26]

46 File No. 0

Serial No. 109

X

Diary No. of letter replied to 4523

Cir

No. 6273

LB 7808-10.

3/25.1.10.

General and Revenue Secretariat

(LB)

, *the* 190

To

The Excise Commr

in Mysore

Date of issue 25-1-10

Signed by Mr K.M.

His letter no 5492 g.

3rd January 1910 requesting

to be supplied with a copy

of the Chief Commrs Notn

no 2748 g 4th Novr 1876

issuing rules for the

levy of tolls on public

roads & bridges

Has the honor

to forward herewith

a copy of the rules

issued under the

Local Boards Regulation

Spare copy of the Notn

is enclosed

SUBJECT.

Copies 24/1/1910

Compd 24/1

D. 7th

47

No 8380

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

Bangalore, dated...2nd April.....19

(9)

7 W 28-08
A 11.10

M. Narain Rao, Esquire,

Offg: *Excise Commissioner in Mysore.*

C. S. Balasundram Iyer, Esq., B.A.,

Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments

SIR,

With reference to your letter No.5466/L.B.78-08-7, dated the 23rd December 1909, regarding the proposal to amend the rules regarding the levy of tolls on public roads and bridges as issued in the Chief Commissioner's Notification No.274 of the 4th November 1876, I have the honor to state that at present carts conveying tents and office records belonging to Government do not pay any toll - though the production of a certificate such as that referred to in the Rules of 1876 is not generally insisted upon by the Toll Con--tractors. Further, carts carrying arrack under-bond are also exempt from the payment of toll.

2. These exemptions have been in force from time immemorial and I do not see any reason why they should now be withdrwan. In the case of the arrack carts, it is essential that they should be exempt from toll as otherwise the Government Arrack Carrying Contr--ors will demand a higher rate for carrying which will amount to a substantial sum and which the Excise Department will have to pay. In either case, there is no certainty that the withdrawl of the exemption would be a source of profit to the District or Municipal Board in the shape of increased bids at auction sales.

I have the honor to be

D 4.11

1910.

From

[illegible] Rao Saheb,

[illegible].*Excise Commissioner in Mysore.*

To

[illegible] Lakshmikantha Iyer, B.A.,

Secretary to the Government of
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated [illegible] April 1910.

Despatched

Received

General No.

Enclosure No.

SUBJECT.

[illegible] opinion in re [illegible] rules regarding [illegible] public roads [illegible] Commissioner [illegible] 1870, [illegible]

GPB—1 [illegible]—31-7-09

2

G.R.S. 26]

6/5/10 T Secy

File No. 12/08

Serial No. 11

Diary No. of letter replied to 7244

(10) Pol No. 952 dt 12-5-1910

General and Revenue Secretariat

(Cos)

, *the* 190

To

The First assistant
to the Honble the
Resident in Mysore

Date of issue 12-5-1910

Signed by C.S. Balasundaram

Sir

I am directed
to state that the
Govt have instructions
Govt desire to know
as to the rule and practice
obtaining in the Madras
and Bombay Presidencies regarding
the exemption of Govt
property from payment
of toll at the D.F. and
and Provincial toll
gates and to request
you to be so good as
to obtain details for
them over.

SUBJECT.

information on the following

points

(1) ~~What are the general kinds of Govt property~~ whether all of every description is property exempt from payment of toll at each of the said classes of toll gates referred to above and if not, in respect of Govt property of what description is toll paid and at what classes of toll-gates.

(2) What is the law or rule, if any, in respect of exemption of the toll gates from which dues the same.

The Survey will be glad if you have any other useful information on the subject.

Yours faithfully,

Secretary to the Government

To

All Collectors,
etc.

Copy to Divisional Forest Officer
for information.

GPT-

D. 397 / No. 4254 / 1 D 16-7-10

LB 78-08

8(12

FROM

MAJOR W. G. GREY, I. A.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

16.7.10

Dated Bangalore, 16th July 1910

SIR,

With reference to Mr. Balasundaram Iyer's letter No.952-Pol., dated the 12th May 1910, requesting information as to the practice obtaining in the Madras and Bombay Presidencies in regard to the exemption of Government --- property from payment of tolls at the District Fund, Municipal and Provincial Toll Gates, I am directed to forward herewith a copy of a letter, No.848-L.Mis., dated the 8th July 1910, from the Government of Madras in the Local and Municipal Department, and to state that a further communication will be made to the Durbar upon receipt of a reply from the Bombay Government.

I have the honour to be,

Sir,

Your most obedient servant,

W. G. Grey Major,

1st Assistant Resident.

K.M.

Encl to 78-08 KW 46

Letter No.848-L.Misc., dated the 8th July 1910, from the Ag. Secretary to the Government of Madras, Local and Municipal Department, Madras, to the Hon'ble the Resident in Mysore.

I am directed to acknowledge the receipt of your letter No.3109, dated 24th May 1910, requesting information as to the practice obtaining in this Presidency in regard to the exemption of Government property from payment of tolls at the District Fund, Municipal and Provincial Toll Gates.

2. In regard to exemption of Government property at the Local Fund toll gates, I am to refer you to section 87(3) of the Madras Local Boards Act, 1884, under which no tolls shall be levied for the passage of carriages, carts or animals conveying police officers in uniform or persons or property in the custody of such officers, and to section 63 of the Act under which the Governor in Council may, at any time, by notification exempt in whole or in part, either on the ground of poverty or for any other sufficient cause any...person or class of persons, carriages, carts or animals.... from tolls leviable under the Act. This Government have not under section 63 of the Act exempted any class or description of Government property. On the other hand, they have refused to accept the recommendation of the Postmaster General that mail carts may be exempt from payment of tolls. They have, however, exempted from payment of tolls the ponies and bicycles of the mail overseers of the Kotagiri-Mettupalaiyam and Ootacamund-Cherambadi mail lines in the Nilgiri District when travelling on duty, and the horses and bicycles ridden by the officials of the Salt and Abkari Department, when passing from one part of the Salt factory at Merkanam in the South Arcot District, to another part of it on inspection duty.

As regards exemption of Government property from pay-

payment of tolls at the Municipal toll gates, I am to refer you to section 91(3) of the Madras District Municipalities Act, 1884, under which "no tolls shall be levied for the passage of vehicles or animals .... conveying Police Officers in uniform.... or persons or property in the custody of such Officers;" and to section 168 of the Madras City Municipal Act, 1904, under which "no toll shall be leviable on any vehicle or animal.

(a) belonging to the Government,

(b) carrying any stores belonging to the Government, or

(c) carrying any Police officer on duty, or

(d) carrying any person or property in the custody of a Police Officer."

These Acts however do not contain any provision under which the Government or the Municipal Council can sanction exemption from payment of tolls.

4. As to the form of pass or certificate, if any, issued for presentation at the Local Fund and Municipal toll gates in respect of Government property exempt from payment of tolls, I am to state that no form of pass or certificate has been prescribed by Government as the matter is one to be settled by the local bodies and their contractors.

5. I am to add that no information is available as regards the exemption of Government property from payment of tolls at the Provincial toll gates. It is believed that the same rules are observed as in the case of Local Fund toll gates

---

C o p y.

G. S. Trench Asst

R e g i s t r a r,

Mysore Resident's Office.

Encls (Os 98-08) —2—

Public Works Department.

Bombay Castle, 7th J U N E 1901.

No.82-In exercise of the power conferred by Section 5 of the Tolls Act(Bombay III of 1875), and in supersession of all previous Notifications on the subject, His Excellency the Governor in Council is pleased to direct that, from the 1st day of July 1901, the following shall be the exemptions from liability to pay the tolls leviable under the aforesaid Act:—

1. Exemptions from payment of tolls, made by Section 3 of the Indian Tolls (Army) Act,1901 as under:—

(a) all officers and soldiers of—

(i) His Majesty's Regular Forces

(ii) any local corps, or

(iii) Imperial Service Troops,

when on duty or on the march;

(b) all members of a corps of Volunteers when on duty or when proceeding to or returning from duty;

(c) all officers and soldiers of the Indian Reserve Forces when proceeding from their place of residence on being called out for training or service, or when proceeding back to their place of residence after such training or service;

(d) all grass-cutters when employed in the service of-

(i) His Majesty's Regular Forces,

(ii) any local corps,

(iii) Imperial Service Troops, or

(iv) any corps of Volunteers;

(e) all other authorised followers of—

(i) His Majesty's Regular Forces,

(ii) any local corps,

(iii) Imperial Service Troops, or

(iv) any corps of Volunteers,

when they accompany any body of such Forces, Troops or Volunteers or any members of such

corps

corps on the march, or when they are otherwise moving ur the orders of Military authority;

(f) all members of the families of officers, soldiers or authorised followers of-

(i) His Majesty's Regular Forces, or

(ii) any local corps,

when accompanying any body of troops, or any officer soldier or authorised follower thereof on duty or on the march;

(g) all prisoners under Military escort;

(h) the horses and baggage, and the persons (if any) employed in carrying the baggage, of any persons exempted under any of the foregoing clauses, when such horses, baggage or persons accompany the persons so exempted under the circumstances mentioned in those clauses, respectively;

(i) all carriages and horses belonging to His Majesty or employed in His Majesty's Military service and all persons in charge of or accompanying the same, when conveying any such persons as hereinbefore in this section mentioned, or when conveying baggage or stores, or when returning unladen from conveying such persons, baggage or stores.

(j) all carriages and horses, when moving under the orders of Military authority for the purpose of being employed in His Majesty's Military service.

(k) all animals accompanying any body of troops which are intended to be slaughtered for food or kept for any purpose connected with the provisioning of such troops; and

(l) all persons in charge of any carriage, horse or animal exempted under any of the foregoing clauses when accompanying the same under the circumstances mentioned in those clauses, respectively.

2. His Excellency the Governor General and His Excellency the Governor, with their camps.

3. Foreign rulers or Native Chiefs and their followers or retainers, also other Natives of distinction whom Governme

the Commissioner, or the Collector may see fit, for special reasons, to exempt.

4. Cultivators, wood-cutters, grass-cutters and the like, who have daily or constantly to pass the toll on their way to their occupations (the precise term of this exemption is left to the decision of the Collector)

5. Carts, containing Public Treasure, with their escorts and luggage.

6. Carts, whether belonging to Government or a contractor going to and fro, laden or empty, in the course of employmen for the conveyance of material for use in connection with public works constructed or maintained by Imperial, Provincia or Local Funds.

7. Peons of all Departments wearing their belts.

8. All vehicles and animals employed on His Majesty's Mai Service whether actually carrying mails or not.

9. Vehicles plying to and from Government cattle farm on farm service, and all animals belonging to such farms.

10. Stray cattle when being taken to a pound.

11. Village cattle passing the toll daily for grazing &c.

12. Local Fund Overseers and other subordinates when travelling on duty in connection with the road on which the tolls are levied.

13. Every Government servant actually travelling on duty shall be exempt from payment as regards the vehicle in which may be driving or the animal on which he may be riding. This exemption does not extend to any cart conveying the kit or office records of the said Government servant.

By order of His Excellency the Right Honourable
the Governor in Council.

Sd/- J. TATE,
Secretary to Government.

Tr

G.R.S. 26]

File No. 58/08

Serial No.

Diary No. of letter replied to 397

General and Revenue Secretariat

(L&S)

, the 19 .

To The First Assistant to the Honble the Resident in Mysore

Date of issue 24-11-1910

Signed by

Mr. S. Balasundaram

Sir

With reference to your letter No. 4257 dated 16th July 1910 furnishing information as to the practice obtaining in the Presidency Madras in regard to the exemption of your property from payment of tolls at the B.T. and T. Road toll gates & stating that a further communication

over.

SUBJECT.

IV 2.12.10 No. 7287 54

Pol. 901
R 2-12-10

FROM

P. B. WARBURTON, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

D. 3611

(13) LB 78-08

TO

The Dewan of Mysore.

Dated Bangalore, 1st December 1910

SIR,

With reference to Mr. Balasundaram Iyer's --- letter No.475-Pol., dated the 24th November 1910, I am directed to state that intimation has just been received from the Government of Bombay that information regarding the practice obtaining in that Presidency in regard to the exemption of Government property from payment of -- tolls, is being collected from the local officers concerned.

I have the honour to be,

Sir,

Your most obedient servant,

First Assistant Resident.

K.M.
30.11.10.

R. P. B.—11-1910.—1,000.

Letter No.305-A., dated the 3rd March 1911, from the nder Secretary to the Government of Bombay, Public Works epartment, to the Hon'ble the Resident in Mysore.

~~P.A. 24~~ (04) D 5698.
L.B. 78-08-13.

With reference to your letter No.3110, dated the 24th May 1910, I am directed to state that Government property described in Government Notification No.82, dated the 7th June 1901 (copy enclosed) is exempt from payment of toll at the Provincial, Local Fund and Municipal toll-bars in this Presidency.

2. No particular form of pass or certificate of exemption has been prescribed for the identification of Government property at the toll stations, but in some Districts local forms of certificates or passes are used. As a rule, exemption is given on the word of the cartmen, the toll collector usually having some knowledge of the circumstances. In --- doubtful cases he may demand a deposit.

&&&&&&&&&&

P.R. 1498 & In 2

No. 1510 Secret.

Mysore Resident's Office,
Bangalore, dated the 9th March 1911.

A copy of the foregoing letter, with its enclosure, is forwarded to the Government of His Highness the Maharaja of Mysore, for information, in continuation of this office letter No.4257. dated the 16th July 1910.

First Assistant Resident.

K.M.
8.3.11

5½

G.R.S. 26]

File No.

Serial No. 14

Diary No. of letter replied to 5698

Pol. No. 849

Encl-1.

General and Revenue Secretariat

(LCS)

, *the* *19*

To

The First Ass:
to the Hon'ble the
Resident in Mysr

Date of issue 6-4-12

Signed by

Mr. C. Balasundaramiyer

Sir

I am
directed to state
that, according to
rule 5 of the rules
for the levy of tolls
on public roads
and bridges in
Mysore, issued

over.

SUBJECT.

4/4/12

4/4/12

under the authority
of the Govt of India
with the Notification
of Fredk Cline, Commr
of Mysore No 274
dated 4th Nov 1876,
and reproduced
at foot of ~~para~~ para 61
of the rules issued
under the Cod Regn
II of 1902 (Copy
enclosed for reference)
all property now
or hereafter belonging
to Govt is exempt
from payment of
toll and ~~the~~
a certificate from
the Head of the
Department to
which the property
belongs is necessary
for proving that
such property is
Govt property. ~~Cases~~

List of enclosures,

Copied by

Examined by

GPB—20,000—2-9-10

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT

(*Continuation Sheet draft form.*)

~~of hardship and~~
~~delay. Caused in~~
~~obtaining~~ certificates from the heads of departments ~~in this~~ case of the ~~conveyance of~~ ~~transported~~ property, such as teak records, sandal wood, timber and other forest produce ~~brought to the notice of Govt~~ ~~have been many~~ It is therefore ~~proposed~~ to amend rule 5 of the rules referred to above so as to render admissible a pass or certificate from an officer of the Department to which the property

It has been found that it is not possible to obtain

is Conveyed from place to place

~~and that~~ It is therefore necessary

GPB—10,000—22-2-11

belongs authorised
by the Deputy Comm^r
or by Govt to grant
such certificates or
passes ~~for the purpose~~
~~this~~. ~~it is also proposed~~ to substitute (With this view, it is proposed
for the words "by
the production of a
certificate from the
Head of the Department
to which it belongs"
occurring in the
said rule the words
" where proof is required,
by the production
of a pass or certificate
from an officer of
the Department to
which the property
belongs authorised
by the Depty Comm^r
or by Govt to grant
such certificates or
passes which pass

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

or certificate shall be delivered up at the last toll gate passed before the cart, carriage or animal conveying such property reaches the destination noted on such pass or certificate.

The rule as amended will read as follows "No toll shall be paid for the passage of troops or military stores or equipages or of police officers on duty or of any person or property in their custody or of any property bona fide belonging to Govt. as established where proof is require

by the production of a pass or certificate from an officer of the Department to which the property belongs authorised by the Deputy Commr or by some to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll gate passed before the cart carriage or animal conveying such property reaches the destination noted in such pass or certificate."

~~- it is not~~

possible & is almost impracticable for the Head of Department to issue Certificates ~~contemplated in the~~

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

~~present title~~, I am to request you ~~to be so good as~~ that ~~to obtain~~ the sanction of the Government of India may be obtained to the amendment proposed

~~to move the Hon'ble the Resident~~

V. Ravelo
CSB
28/8/14
Secretary

Thu 28 Aug

12 to 9 pm
8.7.14

Encl: one

6601.

1011-1012

SECTION: Leg.

FILE No. 78-08

SERIAL No. 15

No. 2706

IV

9-5-12

Leg. - Pol

Pol no 1[illegible] 10-5-12

FROM

P. B. WARBURTON, Esq., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE

To

The Dewan of Mysore.

Dated Bangalore, 9th May 1912.

SIR,

I am directed to refer to Mr. Balasundaram Iyer's letter No. 849 Pol., dated the 6th April 1912, requesting the sanction of the Government of India to the proposed amendment to rule 5 of the Rules for the levy of tolls on public roads and bridges in the Mysore State.

2. In reply, I am to say that the Governor General in Council has been pleased to accord his consent to the proposed amendment, on the understanding that he retains over it the power and jurisdiction which vests in him by virtue of Article 19 of the Instrument of Transfer.

I have the honour to be,

Sir,

Your most obedient servant,

P B Warburton

First Assistant Resident.

I. O. 2.—R. P. B.—8-1911.—3,000.

S: 28. [illegible]

18/08

File No.

Serial No. 16

Diary No. of letter replied to 5698

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(GS)

19

READ— The following papers relating to the exemption from payment of tolls on vehicles and animals

ORDER THEREON—No.

conveying proper belonging to H.H.

(1) Rule 5 of the rules for the levy

SUBJECT.

of Rules on public roads and bridges in force issued with the permission of the Chief Commissioner of Works No 27 dated the 4th November 1876 and published in part 61 of the rules issued under the Local Boards Regulation No II of 1902.

"No toll shall be paid on the passage of troops or military stores or equipage or of police officers on duty or of any person or property in their custody or of any present bonafide belonging to or established by the permission of a certificate from the Head

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation Sheet draft form.)

of the Department
to which it belongs.
(2) Letter No. 347
dated the 21st Augt
1908 from the
President of the 5th
Board of Shimoga
requesting to be
informed whether
certificates issued
by subordinates &
not by the head
of the Department
may be considered
sufficient for
purposes of exemption
since the Dist Forest
officer complains
that there would be
~~of~~ loss of delay and
difficulty ~~resulting~~
if he has to issue
certificates for each
consignment of
forest produce

throughout the District.

(3) Letter no. 1148 dated 10th Feb. 1909 from the Chief Engineer of Mysore on the subject

(4) Letter no. 993 dt. 26th July 1909 from the Conservator of Forests in Mysore

(5) Letter no. 5764 dt. 12th Dec. 1909 from the Revenue Commr. in Mysore

(6) Correspondence ending with letter no. 8380 dt. 2nd Dec. 1910 from the Excise Commissioner in Mysore

(7) Letter no. 7/87 dt. 2nd December, 1910 & memo no. 1510 dated 9th March 1911 from the Director of Agriculture to the

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation Sheet draft form.

Article VIII Residents
on steamers furnishing
information about the
execution from pay-
ment of tolls of
vessels & animals
conveying their
property via Chaukiang
& Bombay.

Order Memo No. 8776-816
" 2837-8-08
" 21.5.12

The question
now raised is with
reference to the levy
of tolls on carts
conveying sandalwood
timber and other
forest products
belonging to the
Agent. In such
cases it is clearly
impossible for the
Head of the departme
to furnish a certificat

GPB—10,000—22-2-11.

as contemplated in para 5
of the Chief Commissioners
circular quoted above that
the load of each cart
is properly belonging
to Govt. Even the
Forest Officer can
not be expected to
issue such certificate
and the Deputy Commr
of Shimoga has
submitted for the
orders of Govt a
suggestion made by
the Forest Officer
of Hosur for the "way permits" issued
by the Forest subordinates
(2) the Inspectors to
accompany the
carts, when they
are asked as sufficient proof that
the property belongs

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

to Govt.

2. Considering the danger of accepting such undertakings as have been paid subordinates, an enquiry was made as to whether the exemption in favour of vehicles & animals belonging to Govt may be cancelled. The Deputy Comm^rs of all the Dists except Shantung are in favour of the exemption being cancelled. The Revenue Comm^r is of opinion that the exemption in favour of property belonging to Govt

GPB—10,000—22-2-11

respect of records, tests
to be taken by officials
on circuit. The
Conservator of Forests
considers that carts
carrying trees reduce
should continue to.
be exempt from tolls
and the Excise
Commissioner urges
that the exemption
in favour of carts
carrying arrack
under bond to the
Central depots should
also continue. Similarly
the Chief Engineer
desires that gravel
for road repairs
should continue
to be exempt.

3. On a consideration
of the question in all
its aspects, I am

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

are of opinion that the exemption which has existed from a long time need not be removed and that as it is not practicable however for ~~every~~ the certificates in such case to be issued by the Head of the Department, provision should be made to render admissible a pass or certificate from an officer of the Department to which the proposer belongs, authorised by the Deputy Comm or by Govt to grant such certificates or passes. To enable the W

Boards to make
the provision in regard to
toll gates, &c., are
placed to direct
that the rules relating
to tolls in the L.B.
rules issued under
the C.S. Regulation be
amended as shown
below: —

(i) At the end of clause
(1) of para 6, of the
L.B. rules the words
"except rule (5)" shall
be inserted after "
where § 76" occurring in the last line

(ii) In para 6 (5) of the
same rules the words
shall be inserted as
clause (4), the present rule being marked "(1)"

"No toll shall be
paid on the passage
of troops or military
stores or equipages or

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

to police officers on duty or of any person or property in their custody or of any property bonafide belonging to Govt as established where proof is ~~necessary~~ required by the production of a pass or certificate from an officer of the Department to which the property belongs authorised by the Deputy Commr or by Govt to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll gate passed before the cart, carriage or animal conveying

Avis propriété réservée
au destinataire de la présente
dont il ne peut être disposé.

Il est notifié par
le présent avis que les biens
ci-dessus désignés
ne peuvent être saisis.

Fait à Saint-Denis, le 9 novembre 1911

Le Secrétaire

TS 69
9.9.11

Le Préfet de la Seine
Le Préfet de Police
Le Directeur de l'Enregistrement
Le Chef du Service Technique
Le Chef du Service des Contributions directes
Le Chef du Service du Cadastre
Le Chef du Service des Eaux

Proceedings of the Government of His Highness the Maharaja of Mysore,

READ—

The following papers relating to the exemption from payment of tolls of vehicles and animals conveying property belonging to Government:—

(1) Rule 5 of the rules for the levy of tolls on public roads and bridges in Mysore issued with the Notification of the Chief Commissioner of Mysore, No. 274, dated the 4th November 1876, and adopted in para 61 of the rules issued under the Local Boards Regulation, II of 1902:—

"No toll shall be paid for the passage of troops or military stores or equipages or of Police officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government as established by the production of a certificate from the Head of the Department to which it belongs."

(2) Letter No. 47, dated the 21st August 1908, from the President of the District Board of Shimoga, requesting to be informed whether certificates issued by subordinates and not by the Head of the Department may be considered sufficient for purposes of exemption, since the District Forest Officer complains that there would be delay and difficulty if he has to issue certificates for each consignment of forest produce throughout the district.

(3) Letter No. 1148, dated the 10th February 1909, from the Chief Engineer of Mysore on the subject.

(4) Letter No. 893, dated the 26th July 1909, from the Conservator of Forests in Mysore.

(5) Letter No. 5764, dated the 1st December 1909, from the Revenue Commissioner in Mysore.

(6) Correspondence ending with letter No. 8380, dated the 2nd April 1910, from the Excise Commissioner in Mysore.

No. 8776-816—L. B. 78-08-16, DATED BANGALORE, 21ST MAY 1912.

ORDER THEREON.—The question now raised is with reference to the levy of toll on carts conveying sandalwood, timber and other forest produce belonging to the Government. In such cases it is clearly impossible for the Head of the Department to furnish a certificate as contemplated in para 5 of the Chief Commissioner's circular quoted above, that the load of each cart is property belonging to Government. Even the District Forest Officer cannot be expected to issue such certificates and the Deputy Commissioner of Shimoga has submitted for the orders of Government a suggestion made by the District Forest Officer of that district, that the "Way permits" issued by the Forest subordinates (*i. e.*) the Foresters, to accompany the carts, may be accepted as sufficient proof that the property belongs to Government.

2. Considering the danger of accepting such way permits issued by low-paid subordinates, an enquiry was made as to whether the exemption in favor of vehicles and animals conveying property belonging to Government may be cancelled. The Deputy Commissioners of all the districts except Shimoga are in favor of the exemption being cancelled. The Revenue Commissioner is of opinion that the exemption in favor of property belonging to Government should only be in respect of records, tents, etc., taken by officials on circuit. The Conservator of Forests considers that carts carrying forest produce should continue to be exempt from tolls, and the Excise Commissioner urges that the exemption in favor of carts carrying arrack under bond to the several depots should also continue. Similarly the Chief Engineer desires that gravel for road repairs should continue to be exempt.

3. On a consideration of the question in all its aspects, Government are of opinion that the exemption which has existed from a long time need not be removed and that, as it is not practicable, however, for the certificates in such cases to be issued by the Head of the Department, provision should be made to render admissible a pass or certificate from an officer of the Department to which the proper[illegible] authorised by the Deputy Commissioner or by Government to

Local Fund and Sanitary (Local Boards), dated 21st May 1912.

grant such certificates or passes. To enable the District Boards to work the provision in regard to the District Fund toll-gates, Government are pleased to direct that the rules relating to tolls in the Local Boards Rules issued under the Local Boards Regulation be amended as shown below :—

(i) At the end of clause (1) of para 61 of the Local Boards Rules the words "except Rule (5)" shall be inserted after "4th November 1876" occurring in the last line.

(ii) In para 65 of the same rules, the following shall be inserted as clause (ii), the present rule being marked (i):—

"No toll shall be paid for the passage of troops or military stores or equipages or Police officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government as established, where proof is required, by the production of a pass or certificate from an officer of the Department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage or animal conveying such property reaches the destination noted in such pass or certificate."

4. A notification of the amendment of the rules will be published in the Gazette.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The President of the District Board of Shimoga.
The Revenue Commissioner in Mysore.
The Conservator of Forests in Mysore.
The Chief Engineer in Mysore.
The Excise Commissioner in Mysore.
Other Heads of Departments and Deputy Commissioners.

Exd.—c. v.

18

1911-12

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

LOCAL FUND AND SANITARY (LOCAL BOARDS)

PROCEEDINGS

'ated 21st May 19

No. 8776-816 / L. B. 78-08-16

Directs the amendment of Rule 61 (i) of the Rules issued under the Local Boards Regulation by the omission of para 5 of the Chief Commissioner's Notification dated 4th November 1876, reproduced at foot thereof, and of Rule 65 of the same by the insertion of a clause exempting from payment of toll troops, etc., and Government property certified to be such by an officer authorised to issue such certificate.

GPB—12-6-12—200

G.R.S. 28]

File No. 78/08

Serial No. 17

Diary No. of letter replied to 5798

Notification

~~Proceedings~~ of the Government of His Highness the Maharaja of Mysore.

8817/LB78-08—
D 21.5.12

GENERAL AND REVENUE SECRETARIAT.

(LB)

the 19

Date of issue 21.5.12

Signed by MKMR

Translation No. 661
17.6.12
Part I, mysore paper
of 23.5.12, page 151

In exercise of the powers conferred by the Mysore Local Boards Regn. II of 1902, the Government of His Highness the Maharaja of Mysore are pleased to direct that the

over.

ORDER THEREON.—No.

SUBJECT.

GPB—10,000 - 29-9-10

rules relating to tolls
issued under the said
Regulation be amended
as shown below: —

(i) At the end of clause
1 of para 6 of the
SS rules the words
"except rule 5" shall
be inserted after
"4th Nov 1876" occurring
in the last line

(ii) In para 6(3) of the
same rules the
following shall be
inserted as clause ~~(ii)~~ (ii)
the present rule being marked
~~para 6~~ (i)

" No toll shall be
paid in the passage of
troops or military stores
or equipages or of police
officers on duty or of
any person or property
in their custody or

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

of any property bonafide belonging to Govt as established where proof is required by the production of a pass or certificate from an officer of the Department to which the property belongs authorised by the Deputy Commr or by Govt to grant such certificates or passes which pass or certificate shall be delivered up at the last toll gate passed before the cart carriage or animal conveying such property reaches the destination noted in such pass or certificate

By Order

for Secy

GPB—10,000—22-2-11

DS 69

The Comptroller of the
Treasury is authorized
with a request that a copy
of this letter be sent to the
President of each of the
[illegible] to this office

GENERAL.

No. 8817—*L. B.* 78-08-17, *dated* 21*st May* 1912.

In exercise of the powers conferred by the Mysore Local Boards Regulation, II of 1902, the Government of His Highness the Maharaja of Mysore are pleased to direct that the rules relating to tolls issued under the said Regulation be amended as shown below :—

(i) At the end of clause 1 of para 61 of the Local Boards Rules, the words " except Rule 5 " shall be inserted after " 4th November 1876 " occurring in the last line.

(ii) In para 65 of the same rules, the following shall be inserted as clause (ii) the present rule being marked (i).

" No toll shall be paid for the passage of troops or Military stores or equipages or of Police officers on duty or of any person or property in their custody or of any property *bona fide* belonging to Government as established where proof is required by the production of a pass or certificate from an officer of the Department to which the property belongs authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage or animal conveying such property reaches the destination noted in such pass or certificate."

By Order,
K. R. SRINIVASIENGAR,
Officiating Secretary to Government, General and Revenue Departments.